

THE ALABAMA HISTORICAL QUARTERLY

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THE ALABAMA DEPARTMENT OF
ARCHIVES AND HISTORY

Some references to the origin and first years of the Department
By Peter A. Brannon*

The Alabama Department of Archives and History was established by an Act of the Legislature approved February 27, 1901.

Administrative Circular No. 10 of the *Alabama Historical Society*, dated February 8, 1900, is:

Message of
Governor William J. Samford,
Urging the importance of the establishment of
a Department of Archives and History

To the Friends of Historical Work in Alabama:

The recommendations of the Alabama History Commission have been so favorably considered by his excellency, Governor William J. Samford, that he has transmitted its *Report* to both the Senate and House of Representatives, with a message as set out below, emphasizing the importance of the establishment of a "Department of Archives and History."

Bills to carry out the proposed plan are now before both Houses, and there appears to be no doubt of its success. However, I am very anxious that the matter should be brought directly to the attention of the General Assembly, and I urge you to write your Senator and representatives and to such others as you may know to give the measure their hearty support.

If you will help the cause, write at once as the bill will come to a vote in a few days.

February 8, 1900.

Very respectfully,

THOMAS M. OWEN

Chairman Ala. Hist. Commission

* This paper as here published is for the most part a recasting of a paper presented on October 5, 1961 by the author to *The Thirteen*, a literary and philosophical society in Montgomery.

Governor's Message.

Chief Executive Department of Alabama,

Montgomery, Feb. 7, 1901.

To the General Assembly:

Under an act of the General Assembly of Alabama, approved December 10th, 1898, the Alabama Historical Society appointed a commission consisting of Thomas M. Owen, Peter J. Hamilton, Wm. S. Wyman, Sam'l. W. John and Chas. C. Thach, who were charged with the duty "To make a full, detailed and exhaustive examination of all the sources and materials, manuscript, documentary and record, of the history of Alabama from the earliest times," etc., and "shall embody the result of such examination in a detailed report to the Governor of Alabama, prior to the next ensuing session of the General Assembly, with an account of the then condition of historical work in the State and with such recommendations as may be desirable."

Upon receipt of said report, it is made the duty of the Governor to "Submit said report to the ensuing session of the General Assembly, with a plan for permanently fostering historical interest and the preservation of the records, archives and history of the State."

Owing to providential causes, that report has only recently come into my hands, and I embrace the earliest opportunity of transmitting it to you, a copy of said report marked Exhibit A, being herewith furnished you for your information.

The preservation for ready reference and information of all the facts of there early history and government, is an evidence of the intelligence, worth and culture of a people. This report discloses the fact that the early history of Alabama is rich in historical incident and historical lore. It acquaints us also with the fact that the early history of this State and much of its subsequent history, and much of its State records are in danger of being lost for the lack of intelligent and methodical attention. The postponement of that attention for a few years will likely cause the loss of valuable information, which when once lost can not be acquired again. I cite one instance of error in comparatively recent history. I was present when two gallant

Alabama officers were killed on the field of battle in the Civil War. Already in the statement of the history of that Alabama regiment, the names of these two heroes are not mentioned. Those officers are credited with men who resigned early in the strife. I might instance other inaccuracies, of my personal knowledge, and I doubt not many other men could do the same thing. So that we owe it to the memory of the dead, to the living, and to our State pride to secure while we can the true history of our State and place it in such permanent form as will insure its accuracy and preservation for ourselves and posterity.

Owing to the lateness of the hour, when the report came to me—finding me absorbed in duties incident to the session of the General Assembly—I can not present the details of a plan necessary to this important work. But—leaving the details to your judgement—I recommend that you pass an act establishing a Department of Archives and History, and that two or three rooms in the basement of the Capitol be set aside for the use of the department, and that the said department be “charged with the custody of the State Official Archives” and the collection of historical facts, records and antiquities of Alabama, and that a Director be appointed to supervise the work and take Charge of the department. To inaugurate and sustain such a department, a small annual or monthly appropriation will be necessary. In the present condition of the State’s finances, I recommend that you do not appropriate more than \$2,500 per annum. While this sum is insignificant to so worthy an enterprise, the sum can be increased by succeeding General Assemblies when the importance and value of the department have been demonstrated, as I feel sure they will be.

I ought not to leave this matter without calling your attention to the thorough and perfect execution of the duty imposed on the Committee of the Historical Society, who made this report, especially as it was with them a labor of love and patriotism, they having performed this great labor entirely without compensation. I doubt not you will agree with me that the State owes the Committee a debt of gratitude for this work.

WM. J. SAMFORD,

Governor.

Thomas M. Owen who had served as Chief Clerk in the office of the Division of Postoffice Inspectors in Washington from 1894 to 1897, was in Carrollton, in Pickens County, Alabama, practicing law for the time after 1897 until he began the agitation for the establishment of the History Commission. Governor Joseph F. Johnston while serving as Governor and likewise the elected President of the Alabama Historical Society appointed the Commission in accordance with the Legislative Act of December 10, 1898, and they elected Dr. Owen as the Chairman and directed him to proceed to make a survey. His report, made in accordance with that direction was published by the Alabama Historical Society in 1901 as Volume 1, of the *Report of the Alabama History Commission*. This report, popularly known as the "blue book" in the series of the Historical Society's Publications, is actually the survey of all public records in the custody of the State; of collections of Alabama Historical material in the custody of the State; of collections of Alabama historical material in Alabama and throughout the United States in institutions, private hands, libraries and other collections, and likewise it lists private collections of letters, correspondence, family diaries and divers things of that type. It also lists the published writings of many of Alabama's people, many lists of newspapers, portraits, minutes of societies, historical commission proceedings, records of pension offices, war records in private hands and many other things. This survey was the basis of what became through the instrumentality of that History Commission's efforts, the Bill which was introduced in the Alabama Legislature and from which became the Act which created the Alabama Department of Archives and History.*

The Board of Trustees of the Department as set up by the Act creating the Department provided a trustee from each Congressional District. Accordingly, the personnel of that Board was: 1st District, Peter J. Hamilton, Mobile; 2nd District, J. M. Falkner, Montgomery; 3rd District, Wm. Dorsey Jelks,

* There is a traditional story which has been current during my entire knowledge of the Alabama Department of Archives and History concerning the origin of the concept and it has two or three different versions but I well recall that Dr. Owen told me that seeing the original commission register of the State Government lying on the floor of the Secretary of State's office and used as a door stop made him determine all the more to save the State records. This version is not that held by some other members of the staff in the years gone by but my presentation is not intended to be controversial.

Eufaula; 4th District, J. H. Johnson, Talladega; 5th District, Dr. W. H. Blake, Wetumpka; 6th District, Henry B. Foster, Tuscaloosa; 7th District, Oliver D. Street, Guntersville; 8th District, Wm. Richardson; 9th District, Samuel Will John, Birmingham.

Dr. Colyer Meriwether, Secretary, Southern Historical Association, in 1909, said in his *History of the Literary and Intellectual Life of the South*:

"But once more does the South illustrate the general tendency in the country. It was found that this culture was too elevated for the average run, and that the fees from a restricted but appreciative class came too slowly to justify much publishing. Indirectly, all, in time, got some of the benefits of the wider diffusion of historical knowledge, and it was urged that all should contribute to the cost. Taking the cue from their brethern of the West, the voluntary state organizations in the South commenced to appeal to the commonwealth to carry the burden. The pioneer in this new path was Thomas M. Owen, of Alabama, who has merited unstinted praise. He had been one of the three organizers of the Southern History Association in Washington, D. C., had revived the Alabama Historical Society, and had been a vigorous worker in other ways. Fortunately, he had held public office and knew how to appeal to politicians and the public. He drafted measures, secured their adoption by the state legislature, and obtained appropriations for advancing the cause. His efforts have resulted in the creation of a state department of history at Montgomery, devoted to collecting and publishing, but with most strength on the former. The museum of relics and manuscripts is rapidly growing, following one of the finest examples in the country, that one in Madison, Wis. Mississippi soon copied the Alabama model with some happy modifications; later South Carolina and West Virginia took the same cue . . ."

A statement which appeared in *The South in the Building of the Nation*, in 1909, was: "Through Mr. Owen's active and constructive leadership the Alabama State Department of Archives and History was established by legislative act of Feb. 27, 1901,

* *The South in the Building of the Nation*, vol. 7, pp. 514-515. (1909). Vol. 7 is titled *History of the Literary and Intellectual Life of the South*, chapter title *Southern Historical Societies*, contributed by Colyer Meriwether, Secy., Sou. Hist. Assn.

charged with the care of the official archives (public records) and the promotion of all the historical activities demanded on the part of the State. This step was the first known recognition and application of the principle of public support of archive preservation, and history work and enterprise through a separate bureau, commission or department of state, located in the capitol and administered by a state official regularly chosen and required to devote his entire time to his duties. This plan is altogether the creation of Dr. Owen, and it is his unique good fortune to be both the pioneer, maker and perfecter of a great institutional advance in American government and political science. This plan has been adopted by several states and efforts for the enactment of similar legislation have been made in other states.”*

R. D. W. Conor, at the dedication of the Alabama Memorial Building in 1940, said:

“Though Dr. Owen had never seen me before and must have considered me a nuisance, he greeted me with all the kindness of an older brother. I found him installed in his cramped quarters in the capitol, literally lost to view behind great mountains of disorderly masses of documents, which had been piling up on him so rapidly and in such volume as would have discouraged a less determined man. As you can well imagine, there was little I could learn from this situation about archival organization, arrangement, classification, or cataloguing nor did I have the slightest comprehension of what he was talking about when he discussed the principle of provenance, respect *pour les fonds*, and other archival mysteries. Nevertheless, my visit to him was one of the most profitable experiences of my life. It was not what he had done, nor what he said that dwells with me today; it was what he was. He was energy, he was enthusiasm, he was courage, he was vision, he was faith, he was inspiration, and when I reluctantly bade him good-bye I knew in my heart that some day he would build here in Montgomery one of the great archival institutions of our country. I count it a rare privilege, indeed, to be able to come back to Montgomery after thirty-three years to

* Vol. 12, p. 244.

witness the realization of his dreams as we see them here today.*

In 1903, while I lived in Columbus, Ga. I was visited by Mr. Owen who was doing his first field work in his organization efforts for the Department. He knew of the existence of the Peter A. Greene collection of historical materials at Seale. Some time before his visit Mr. Greene had died. The administration of his property had been turned over to me. In the Greene collection were a number of manuscripts, a great many Indian relics, a number of pistols, swords, guns and other miscellaneous things and Mr. Owen was interested in securing these for the Department. He selected a number of items and they were turned over to him. These were manuscripts, a few books, some Confederate money, some old correspondence and miscellaneous things which were at the time thought to be of great value though had no relatively great value because they were so few of them. Mr. Owen spent the day in Columbus. I took much of the time from my work at a drug store there to entertain him. At that time he entered into the records of the Department of Archives and History Mr. Greene's account concerning the collection of them. I had many notes.

From that day until I came to Montgomery to live Dr. Owen and I corresponded spasmodically and he wrote me at times asking about collectors and locations of collections and he was particularly interested in Fort Mitchell, as I was, and my interest in the work of the Department of Archives and History from these small beginnings grew to a serious nature. From early 1907 when I worked here in Montgomery at Spann's drug store, up to my official connection with the Department on February 1, 1911, I worked with Mr. Owen in different programs and our relationship as research associates increased accordingly.

Prof. Henry S. Halbert, Dr. Owen and myself organized the Alabama Anthropological Society on May 13, 1909, at a meeting at No. 1 N. Jackson St., in Montgomery. Shortly after that time we organized the Confederate History Club, a second Camp of Sons of Confederate Veterans. Dr. Owen had commanded the Holtzclaw Camp. I was made the head of the Confederate History Club as we termed it although it was officially a Camp. Shortly after that Haygood P a t e r s o n and myself with Dr.

* The American Archivist, v. 4, p. 82-83, 1941.

Owen's encouragement, organized the Bartram Natural History Society and Mr. Paterson and myself were elected to membership in the American Philosophical Society on a non-resident basis on account of our interest in John and William Bartram. These activities were all in direct relationship to the Department of Archives and History and functioned the scientific and historical connections of the Department.

At that time, Prof. Halbert, born in Pickens County, Alabama, but who spent most of his life in Noxubee County, Miss. was living with Dr. Owen and was a clerk in the Department. This gentleman had been a teacher in Texas. He had served in the Texas Army in the Indian uprising of 1859 and 1860, had served as a member of a Texas Regiment in the War Between the States, before he came to the Department of Archives and History taught an Indian school near Philadelphia, Miss. for twenty years. I don't know the relationship but there was some connection with Dr. Owen's family and Dr. Owen was willing and rather anxious to have the old gentleman here because he had a reputation of being learned in the aboriginal life of the Gulf country. He was a nationally known Indianologist, an author and a linguist of more than ordinary ability. He read French with ease. He was a master of the Spanish language. He spoke Choctaw and he understood the Creek language quite well and he had been associated in the field of ethnological research over a long time. Prof. Halbert was a bachelor, he wore a wig, he was a strict Baptist, he taught the men's Sunday School class at the First Baptist Church in Montgomery and he lived an apparently robust healthy life up to 78 years of age when he developed TB and died within a few months.

The anteroom of the Senate Chamber served as the office of the Director of the Department for several years and the relics, files, papers, books and other things accumulated and expanded into the Senate and House Chambers until the construction of the South wing of the Capitol in 1906 and 1907. Had you dropped into these new quarters about that time you might have met many of the old school of writers of a half century ago. Walter Flemming, recently out of Auburn, who had studied under Dr. Petrie; Theodore Jack, newly out of the University, who had studied under Dr. Wyman; Dallas T. Herndon, lately Dr. Petrie's student at Auburn, and who was preparing himself then to take

over the Directorship of the History Commission of Arkansas; Dr. Eugene A. Smith, thought by many to have been the world's leading geologist of that day but actually an historian of the prehistory of Alabama, were among those who might have greeted you. The correspondence of that period included letters from Dr. Earl Swem of William and Mary, Dr. Clarence Brigham of the American Antiquarian Society; Dr. Spofford who had known Dr. Owen in Washington but who was then serving as an assistant in the Library of Congress, having given way to a younger man, Ed Hamner, of Etowah County, Ala., who had during his years in Washington City brought together the foremost collection of government books on the subject of American Indian was a voluminous writer. Allen D. Chandler, late Governor of Georgia who was compiling the military history of that State was in touch with us.

Among our other visitors prior to 1913 was George Grayson some time Congressional Delegate at Washington for the Indian Territory. Mr. Grayson was the great-grandson of George Grierson (and bord his name) t h a t old Scotchman who was the British Agent at Hillabee as early as 1761. I had the honor to meet the old man on his last stop here on his way to Washington. He did not repersent the State of Okalahoma after it was created in 1912.

In the early (1902 to 1915) correspondence files you may find literally thousands of letters from the U. S. War Department as General Marcus J. Wright and Gen. Ainsworth, the Adjutant General were both assiduously endeavoring to organize Confederate military records.

Associated with Dr. Owen in the work of the Department over a number of years before he died was John Witherson DuBose who was first regularly employed by the Department to prepare sketches of the military regiments which served from Alabama in the War Between the States. Col. DuBose was at the same time writing both for the *Advertiser* and the Birmingham papers. His c o m p e n s a t i o n for his contributions to the *Advertiser*, these appearing largely on Sunday, was \$2.00 each. These were altogether of a political nature.

And too was Rev. George E. Brewer, a Baptist minister who had served as the Captain of Co. A, 46th Ala. Infantry Regiment

in the C.S.A., and who commanded the 46th Regiment during most of the period of the War. Col. Michael Woods, being incapacitated and at home (during most of the time) in Montgomery. Capt. Brewer served as the Acting Adjutant General of the State of Alabama for two years following the War and until the Reconstruction Legislature of 1868 took over the State. During that time he put the records of some of the Confederate outfits in good condition. He made many annotations to these official lists and his contributions in that respect have been declared official military records in view of the fact that he had access to many notes which were not available later on. About 1912, Mr. Brewer came to the Department as a regular paid employee and wrote sketches of the military units and did other research work.

The archives of the Adjutant General's office were separated from the Governor's files during the administration of Governor Oates, the theory of the separation having been instituted in the last year of Governor Jones' administration and the organization of these archives was done by Mr. W. S. Ford. The Adjutant General's records included the Confederate military archives. Obviously, they included the militia records from 1818. They also included the War of 1836, the Texas War with Mexico, the Mexican War and about the time of the organization of the Department of Archives and History the Spanish-American War archives were taken over by the Adjutant General's office. They came directly from the Adjutant General's office to the Department. Since the creation of the Department all Adjutant General's archives have been administered by the Department of Archives and History and very little of the archival duties connected with the processing and administering of these military records was ever done by the Adjutant General's office.

Col. Wm. H. Fowler, of Tuscaloosa, an artillery officer in the Confederate Army was assigned by Acts of the Alabama Legislature, in 1863, to proceed to the front in Virginia and assemble the records of the several Alabama outfits and prepare historical Record Rolls. Col. Fowler did a great deal of work along that line and about 1870 the Alabama Legislature appropriated a sum of money to buy these records from the estate of Col. Fowler. There has been some question in the minds of students and lawyers in later years as to why these records from

Col. Fowler's estate had to be bought with a Legislative appropriation when Col. Fowler was an officer in the military forces of the State of Alabama. No answer can be made except to say that at the close of the War the assembled historical Record Rolls were in the hands of Col. Fowler, not having been returned to the State and by a construction of the after-the-War Legislatures they were private rather than State property, because the State had not gotten back into the American Union and was not an official unit. Col. Fowler went to Texas shortly after the War and had a difficulty which resulted in his death. The Legislature bought the records and they became the property of the State of Alabama and were in the hands of the Adjutant General's office until taken over by the Department of Archives and History. They are today the most valuable of all the State's military archives as they are physical evidence of the period of the Confederacy in our history.

The Department, of course, has the Governor's executive archives of the period of the Confederacy but most of that correspondence is the material that came into the Governor's office and there are no copies (except in a few cases) of the material that went *out* of the Governor's office.

Dr. Owen had the rare ability to utilize the efforts of a class of workers widely divergent in character. In addition to those previously mentioned clerical writers who made contributions to the files of the Department between 1908 and 1920, there were Miss Nimmo Greene, Miss Mary Burke and others.

Miss Toccoa Cozart made contributions to the work of the Department for some time as a paid employee and then later worked for Dr. Owen in the compilation of his history.

Miss Greene was the original Department Librarian and was one of the first of the library assistants to become interested in the extension service of the Department. She antedated Miss Tommie Dora Barker who came to the Department from the Public Library of Atlanta and she, Miss Barker, was succeeded by Miss Gertrude Ryan who came with the Department in 1911, about the end of the year. Miss Greene was a former teacher, was the author of two or three books and a warmly regarded

Montgomery adopted citizen. She was a relative of the family. Dr. Owen's secretary, from the organization of the Department until along about 1918, was his sister, Miss Dolly W. Owen. After quite a few years Miss Dolly found a very companionable and gracious partner and was married and lived in Florida until long after Dr. Owen passed away.

The compensation of this array of talent, and I make that statement with utmost frankness, was distressingly modest. Prof. Henry S. Halbert's salary was \$25.00 a month and Col. DuBose and Mr. Brewer drew less salary. Miss Greene's salary as a Librarian was more in keeping with the standard remuneration of that period.

Rev. Peyton Bibb Saffold, (the grandson of that one of the Bibb brothers who in 1819 sought to change the current of the Alabama River and to make it flow accross the neck of that projecting peninsula formed by the curve of the river north of town, because he had some unhappy conflict with the people of Montgomery) was a "piece writer". Mr. Saffold was a retired Methodist Protestant preacher. He was a rather good story teller but a slow, tedious, methodical writer and while his efforts were honestly contributed they were not worth much because he never got very much in the files.

Mention is made of these extra workers to illustrate the cultural opportunities which the Department enjoyed through the contacts of these people in their peculiar activities. DuBose, as you will recall published *The Life and Times of William L. Yancey*, in 1892, and wrote political contributions of a wide overall character on to his death in 1918. Capt. Brewer had been a personal friend in his younger days of Byrd Young, the original of the folk story sharacter, *Simon Suggs*, and he enjoyed a wide reputation of a Baptist of the strick interpretation of the tenets of that faith.

Miss Tocca Cozart, a granddaughter of one of the early families of Montgomery, the McIntyres, was a teacher of known reputation both in Atlanta and here in Montgomery.

In 1907, Dr. Owen aided and abetted Mr. Dunbar Rowland in establishing the Mississippi Department of Archives and History patterned directly after the Alabama Department. The

Act creating the Mississippi Department was the verbatim text of the Alabama Act. Dr. Owen and Peter Hamilton, of Mobile, author of *Colonial Mobile*, (a great contribution to the story of the Gulf country), were collaborators in many efforts. With Dunbar Rowland, they promoted the copying of the Spanish and British West Florida Government records even before the Library of Congress (U.S.) had them. Col. Sam Will John, a typical barrister of the Old South type was not only a warm admirer of Dr. Owen but Col. John sought to aid him in his search into different problems. Col. J. M. Falkner, the attorney for the L. & N. Railroad, Governor Wm. D. Jelks, Dr. J. H. Johnson of the Alabama School for the Deaf at Talladega, Dr. Wm. H. Blake, some time connected with the Convict Bureau, and a practitioner of wide experience, and Oliver D. Street, a well known Republican politician, illustrate a cross section of diverse minds. Through that Board of Trustees of which the above were members he lost no opportunity to advance his desire in promoting the Department.

The warmest support of Dr. Owen received during his twenty years in the work was from his father-in-law, the Senior John H. Bankhead. While he was in Washington in the late 1890's he met many national workers in the field of history but much political influence in the promotion of this work came through Mr. Bankhead as Congressman and Senator.

Through his characteristic temperament, his position with the State government, and his ability to ingratiate himself into the life of Montgomery he was one of the group which organized the *Thirteen* in 1902. The other twelve men (and their successors) honored him and encouraged him for the next eighteen full years that he carried on, and his success in his ambition was influenced by this association.

While Mr. Owen lived in Washington, 1894 to 1897, he brought together the greatest collection of Government documents, in private hands ever assembled in America. These and many other rare books accumulated by him, he brought to Montgomery. In 1904, Mr. Owen and Professor John W. Abercrombie were during the meeting of the Board of Trustees of the University of Alabama, honored with the Degree of LL.D. In 1906, Dr. Owen established a new home on a lot now on East Felder Ave-

nue, then out of the city limits. A few months later, while both Mrs. Owen and he were in the city the home burned to the ground, destroying the great library and their every worldly possession, except the clothes worn by them.

Some time about the first of the year 1908, Dr. John Allen Wyeth of Alabama, who had long practiced in New York wrote a letter to the Montgomery Advertiser advocating the selection of John Witherspoon DuBose to write the history of Alabama. Dr. Wyeth had the Congressional delegation in Congress to sign the request with him (this list includes Senator Bankhead and Senator Johnston as well as the Congressional Delegation) and mentions a number of members of the Board of Trustees of the Department and people of that period interested in furthering the work of the Department. Nothing was done along that line until some time about 1914 when Dr. Owen began the collection of material and promoted the development of what later became Owen's *History of Alabama and Dictionary of Alabama Biography*, which volumes were brought out by Mrs. Owen after the Doctor's death.

Dr. Owen was ill during the last days of 1919 and during the winter suffered a severe attack of influenza. He recovered to some degree and began his vigorous activities in preparation of his manuscript in which he was assisted by Mr. Harry F. Thompson, Miss Taccoa Cozart and several other workers. On March 25, 1920, he attended the first meeting of the *Thirteen* for several weeks. Dr. Owen ate very heartily and discussed vigorously *The 18th Ammendment* which was the subject of the paper on that occasion. He left Mr. Cody's home, walked over to his residence on the corner of Adams Avenue and Decatur Street and while preparing to retire collapsed and died immediately of a heart attack. The next morning's Montgomery Advertiser carried a full width page notice of his death and devoted considerable attention to his attention to his accomplishments and spoke most glowingly of his efforts in behalf of the promotion of the Department of Archives and History.

An editorial at the time warmly congratulated him for his successful work in stimulating that "great institution", as they called it, the Alabama Memorial Commission which would soon provide the result of Dr. Owen's long cherished

hope that the Alabama Memorial Building would take over the great collections which he had brought together. Mrs. Owen who succeeded him as director used that forecast as the basis of her strenuous efforts to provide the Alabama Memorial building to realize the dream that her husband had twenty years prior to that time sought to consummate.

It is not relatively pertinent that the administration of Mrs. Owen as the Director from 1920 to 1955, nor me from time on be part of this story. Mrs. Owen was elected at a meeting shortly after his death and during her administration the activities of the Department grew and expanded and the efforts of Dr. Owen continued to be felt. Mrs. Owen was prone in her late life to credit much of her administration to Dr. Owen's efforts but this was largely through her sentimental loyalty to him and she should be credited with that furtherance of the work.

Over the period of sixty years since the Department was created has been a continued growing development and the main purposes, as conceived by Dr. Owen at the time he sponsored the creation, in 1901, have been realized.

GENERAL N. B. FORREST AS A RAILROAD BUILDER IN ALABAMA

By John C. Jay, Greensboro*

Now and then there comes upon the stage of life, a man who so differs from the rest that he catches the eye and ear at once, and as long as he moves in the scene, holds the attention of his fellows. On the 13th day of July, 1821, amid surroundings which told of poverty, in a remote backwoods settlement of middle Tennessee, there was born one of these rare beings, Nathan Bedford Forrest.

By great physical courage and indomitable will he overcame obstacles and transcended poverty. He had attained a position of influence, respect and success in business in Memphis at the beginning of the Civil War. He enlisted as a private soldier on June 14th, 1861. A man of his high character, probity and courage was not to remain in the ranks. During the process of war he attained the rank of General. He was fairly worshiped by his soldiers. One commander under whom he served adjudged him "the greatest soldier the war produced," and by another "the greatest soldier of his time."

He has grown in stature, through the years, until in our time his fundamental rule of victory, to "get there first with the most," has come to be accepted all over the world as the very antithesis of "too little, too late."

Immediately following the close of the war General Forrest gave his personal attention to his plantations, located on the Mississippi River near Memphis, in order that they might be made productive and put in such condition that they could be carried on successfully without his personal supervision. This left him free to pursue his ambitious undertaking of construct-

* The author of this paper has appended a bibliographical list though he advises that considerable of this material has been developed in the copies of the Greensboro newspaper of the period and even of the current newspaper publications as from time to time there have been many references to this effort at railroad building by General Forrest. Mr. Jay is a well known collector of memorabilia and he owns the Caboose Museum at Greensboro, an institution known throughout the country and which has been sponsored by many of the largest railroads in America.

ing a railroad from Selma, Alabama, to Memphis. His experience of several months in Alabama during the war caused him to realize the profitableness of a railroad through the rich cotton section of Central Alabama, connecting it with the markets in Memphis.

General Forrest returned to Alabama early in 1868, and purchased the controlling interest in the Cahaba, Marion and Greensboro Rail Road Company. This railroad originally ran from Marion to Cahaba. In 1855 the portion of the line between Marion Junction and Cahaba was dismantled and the rails sold to the Alabama & Mississippi Rivers Railroad Company. During the war the iron belonging to the Cahaba, Marion and Greensboro Rail Road Company, the length of which was about 13 miles, was impressed by the Confederate Government to be used in completing the Alabama & Mississippi Rivers Railroad between Selma and Meridian, Mississippi, which had been seized for military purposes.

During the latter part of 1868 there were numerous meetings held for the building of the proposed railroad from Selma to Memphis. These meetings were held in towns along the route the railroad was to follow. They were: Selma, Marion, Greensboro, Eutaw and Aliceville, Alabama; Columbus, Aberdeen, Okolona, Mississippi; and Memphis Tennessee.

On Decemeber 31, 1868, the Alabama Legislature passed an act "to amend and revise the general acts incorporating the Cahaba, Marion and Greensboro Railroad Company, and to change the name and style of said Company." After reciting the various acts incorporating the Cahaba, Marion and Greensboro Rail Road Company the act under consideration provided: Sec. 1. That the corporate name of the Cahaba, Marion & Greensboro Rail Road be changed to "The Selma, Marion & Memphis Railroad Company."

Immediately after the enactment of the Charter by the Legislature, the stockholders proceeded to the election of a president and nine directors as follows: General N. B. Forrest, President; Directors: J. T. Terry, Pickens County; Willie Coleman, of Greene; A. C. Jones, of Hale; J. H. Y. Webb, of Hale; Porter King, of Perry; C. C. Huckabee, of Perry; R. H. Lee,

of Perry; John Howze, of Perry; Henry A. Stollenwerck, of Dallas.

It was not until June 1, 1869, that actual construction got under way. On June 19, 1869, Captain Beall, one of the contractors of this road, said work was progressing rapidly. The contractors reported that they had 160 hands, with carts, mules, etc., employed on the section between Marion and Newbern, and in a few days would have about 60 more hands at work. The Company had established temporary work shops at Marion, and were busily engaged in constructing passenger cars, repairing locomotives, etc. General Forrest was energetically at work, and was determined that if the work flagged on the road it would not be his fault.

An election was held in the City of Greensboro, on June 28, 1869, to determine whether the voters were in favor of a \$15,000 town subscription to the railroad. The result was 166 for the subscription and one against. Then on July 13, 1869, a similar election was held for Hale County, Alabama, for a subscription of \$60,000, the result being 2260 for the subscription and 301 against.

By September 9, 1869, the track had been laid to Bougechitta Creek, two and three-fourths miles west of Marion.

It was announced on October 9, 1869, that under the favorable legislation of Alabama, the road got the endorsement of the company bonds by the State to the extent of \$16,000 per mile, and the same was made for each five miles of the road as it was completed. With this State aid, along with the subscriptions of stock of the counties through which the road would pass, the completion of the road was assured.

On November 19, 1869, the directors authorized the Chief Engineer, Colonel Merriwether, to contract with Colonel A. K. Shepherd, for the grading and ironing of the road from its present terminus, about eight miles west of Marion, to Eutaw, the work to be completed in 12 months.

General Forrest and Captain C. C. Huckabee, one of the directors of the road, were in Greensboro on Monday, December 20, 1869. General Forrest reported that the work was progressing vigorously under the new contractor, Colonel A. K.

25 CENTS

60.

St. James Marion Menchies

BARONAL 1871

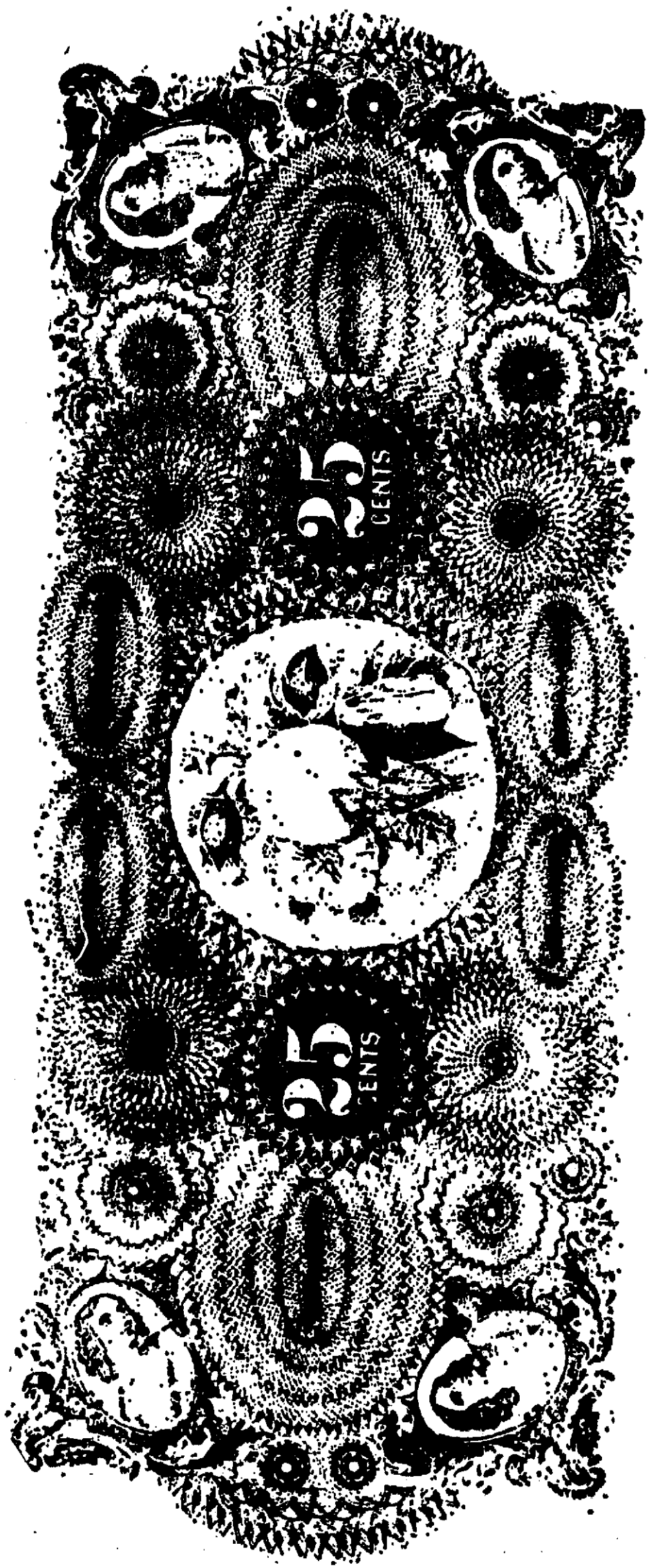
EXHIBITIVE CH

Merchandise at the Store

W.B. James - President

Counter signed

From Schmitt & Bros. Ladder Building co. William & Henry St. N.Y.



Shepherd, and that he had 1500 tons of iron purchased and on the way, enough to complete the road to Greensboro. Captain Huckabee said that about 150 hands were at work on the road, between its western terminus and Newbern, and as many more expected in a few days.

On January 1, 1870, it was announced that the railroad had received for their road a splendid new engine which was named "Porter King." after Judge King of Perry County, and a member of the Board of Directors.

On January 3, 1870, the Commissioners Court of Hale County held a special term for the purpose of issuing the Selma, Marion & Memphis Railroad bonds, which had been authorized by the voters of the county. General Forrest was in attendance, with blank bonds that had been prepared and delivered to him by his attorney. Unfortunately, the same traits of character which made General Forrest a military genius also made him many enemies in his business connections, and apparently the Probate Judge, W. T. Blackford, was one of them as he was a radical or reconstruction judge. Judge Blackford refused to sign the bonds, in violation of the plain mandate of the law.

General Forrest, through his able lawyer, obtained a formal hearing before the Judge in an attempt to persuade him to sign the bonds. The lawyer argued well and long, perhaps too long, and he no doubt used too many Latin phrases which irked the Judge, who was not a lawyer himself. At the conclusion of the argument the Judge addressed the lawyer: "Sir, I don't give a damn about your nunc pro tuncs, your nolens volens or your amicus curis. I am not going to sign them bonds."

The angry lawyer started toward the Judge, but the Judge was prepared to enforce his own orders, and quickly drew his sixshooter which held off the astonished advocate.

General Forrest, equal to the occasion, had his own idea of bringing swift and sure justice to the courts. He was a man of great physical strength, his hair was jet black, his skin dark, eyes blue and mild enough till the devil within was aroused, and then flashed green.

The General quickly disarmed the Judge, firmly collared him and quietly said: "Wal, Judge, I don't care a damn whether

FORM 2.

Samuel Guthrie *Glenn C. - 3d* 1876

U. S. STELIA, MARION & MEMPHIS R. R. Fr.

For Transportation on the following articles of Freight.

Marks.	Description of Freight.	Weight.	Amount Due.
W. B. No. 194	1 Bx Cheese	30	48
Car No.	1 Sbk Coffee	60	48
Date 10-28-44	1 Bx Canned Beans	48	48
From	1 " Smoked	25	25
Consignor <i>De</i>	Received Payment, <i>McMinn</i>	97	143

1896
Set of 10 cards
\$1.45
3014 Oct 12 1876
9711 A 116 C
D.R.

you sign them bonds nunc pro tunc, nolens volens or amicus curi; you are going to sign 'em. Come along with me."

The General led the Judge into an ante room where they had a private conference from which the Judge returned, took his bench and smilingly signed the bonds. It was never known just what took place during the conference.

General Forrest announced on Saturday, January 8, 1870, that 35 car loads of iron for the railroad had been received, and that he was expecting 25 additional car loads. Track laying was also begun from the western terminus to Newbern.

There came out from Selma the same day the committee appointed by the Legislature to examine the portion of the road that had been completed. A spokesman for the committee on the tour of inspection, to the western terminus of the road seven miles from Marion, said the road appeared to be well built, and he thought the committee was entirely satisfied with it.

On February. 3, 1870, it was announced that on and after Monday (the 7th), trains would be run to Prairie Station (Sundays excepted) connecting with stages for Greensboro, Tuscaloosa and Eutaw.

General F o r r e s t was in Greensboro the week of June 1, 1870, looking after the interests of his road. He expressed the confident opinion that the road would be completed to Greensboro by the first of September, at the latest. He also said that he would soon have at least 500 hands on this end of the line, which would cause the work to progress very rapidly. While in Greensboro, he was also engaged in looking for a suitable location for the depot. The place he preferred was near, or adjoining the southwestern corner of Mrs. Croom's lot, on land belonging to Dr. William A. Jones' children.

The first train to arrive in Newbern, was at 5:50 p.m., June 30, 1870. Awaiting the arrival of this train were all the citizens of Newbern and the surrounding territory, and a great number of people from Greensboro who had arrived on a line of splendid Troy-built stage coaches for the occasion. This was truly a great day for the people of this part of the state.

General Forrest made a flattering statement of the condition and prospects of the road on July 26, 1870. He had recently sold \$400,000 of the bonds in New York at 92½c. A large amount of iron had been purchased. One thousand tons had been delivered, and the remainder was on the way. The bridge over the Warrior River would be done in ample time.

On Saturday, August 6, 1870, it was reported that the grading for about half of the distance between Newbern and Greensboro had been finished and a mile of the track had been laid. The grading on the remaining distance was in a state of forwardness and was likely to be completed in a few weeks.

A small party, consisting of the members of the Commissioners' Court of Hale County, the county officers, and a few others from Greensboro and vicinity, made an excursion trip on the railroad on Monday, September 5, 1870, from the northwestern terminus to the Perry County line.

The object of this excursion was to furnish the members of Commissioners' Court ocular evidence that the first section of five miles of the road in Hale County had been finished. The Court, when submitting to the voters of the county General Forrest's proposition for Hale County to take \$60,000 of stock in the road, stipulated that the funds realized from the county bonds should be expended within the limits of the county. Twenty thousand dollars of these bonds were issued and turned over to General Forrest, and the Commissioners had evidence of the fact that the money realized from their sale had been expended in the county.

General Forrest had received reports and had been led to believe that one of his contractors had not complied satisfactorily with the requirements of his work. This contractor, an honorable and courageous man, was Colonel A. K. Shepherd. When they met, without waiting for any explanation, General Forrest, who at the time happened to be in a bad humor, spoke abusively to his employee. This gentleman, stung by the injustice of the attack upon him, resented it so bitterly that he challenged the General to mortal combat. In the heat and violence of the moment General Forrest accepted the challenge, selecting his favorite weapon, "navy sixes," at a distance of ten paces, to fire at the word, and advance and continue firing

until one or the other was killed. The details of this affair were given by Colonel Charles E. Waller, a reliable citizen of Greensborough Ala., who was a contractor on the road at the same time and was well acquainted with both parties to the quarrel. While a great admirer of General Forrest, and still devoted to his memory, Colonel Waller said that the General was exceedingly overbearing and unnecessarily severe in his denunciation of Colonel Shepherd. The duel was to take place at sunrise the next morning. General Forrest spent the night with Colonel Waller, occupying the same room with him. "I noticed that General Forrest was restless throughout the night, for with the knowledge of the impending duel I was unable to sleep. About daylight, I looked across the room and saw the General sitting upon the side of his bed, and inquired of him why he was restless. He replied: 'I haven't slept for thinking about the trouble with Shepherd. I feel sure I can kill him, and if I do I will never forgive myself. I am convinced that he was right in resenting the way I talked to him. I am in the wrong, and do not feel satisfied about it.'" Colonel Waller replied: "General Forrest your courage has never been questioned. I have no reputation of being a brave man, but under the circumstances I should feel it to be my duty to apologize to Colonel Shepherd and openly tell him that I was wrong." The General said: "You are right, I will do it." They immediately got up, dressed themselves, and Colonel Waller and General Forrest went directly to Colonel Shepherd's quarters where they found him surrounded by a group of friends. General Forest walked directly to him, offered his hand, and said: "Colonel, I am in the wrong in this affair and I have come to say so." Colonel Shepherd expressed himself as being very glad that General Forrest had taken this view of it, and with this the matter ended.

The home in which General Forrest spent the night on this momentous occasion still stands in Greensboro.

On Thursday, November 3, 1870, the last rail was laid, and the last spike driven, in completion of the railroad to the Greensboro depot. On Friday, November 4, 1870, passenger and freight trains commenced running to the depot. This was truly a momentous day for Greensboro and the surrounding territory.

At the beginning, the Selma, Marion & Memphis Railroad

Selma, Marion & Memphis Railroad

CHANGE OF SCHEDULE.

ON and after January 1st, the trains on this Road will run as follows:

Mail train leaves Marion Junction daily, (except Sundays) after the arrival of accommodation train from Selma, at 4:10 P. M., arrives at Greensboro at 7:30 P. M., connecting with Stages for Eutaw, on Mondays, Wednesdays and Fridays, and for Tuscaloosa on Tuesdays, Thursdays and Saturdays.

Mail train leaves Greensboro daily, (except Sundays) at 5:15 A. M., arriving at Marion Junction at 8:30 A. M., making close connection with Selma & Meridian Road, arriving at Selma at 9:45 A. M., making close connection with Selma, Rome & Dalton Road for Dalton, and Western Road for Montgomery.

Freight trains will be run three times a week, leaving Greensboro on Mondays, Wednesdays and Fridays, and Marion Junction on Tuesdays, Thursdays and Saturdays.

J. P. FRIESENTUS,
Chief Eng'r & Gen'l Sup't.

December 31, 1870

52-8 1/2 in. x 11 in.

was laid with ties and rails on top of the ground, and in wet weather accidents were frequent because of the tracks slipping from the weight of the trains on the slick prairie and clay lands upon which the track was laid. The bridges and trestles were not built too well, and they were not protected from the ravages of wet weather. Quoted here are a few of the accidents: On Wednesday, October 11, 1871, about two miles out of Marion Junction, the engine ran off the track and turned over, getting badly smashed up, and drawing the tender with it. The engineer and fireman were scalded, though not badly. No one else was hurt. On December 20, 1872, the engine ran, off the track near Newbern. The accident was caused by a portion of the track being undermined near Whitsett's creek. The damage was not perceptible until the roadbed gave way from the weight of the train. The fireman, a colored man named George Evans, was killed; the engineer, Mr. George King of Marion, had both legs broken and died two days later. The brakeman, name unknown, died after suffering two or three days. Thursday, morning, April 23, 1874, as the train was coming from Sawyerville, and when within a mile of Greensboro, while crossing a trestle, the foundations of which had been washed away by the rain, the engine, tender, and mail coach were precipitated some 30 feet, wounding, thought not dangerously, the engineer, the mail agent, and a brakeman.

On Saturday morning, June 3, 1871, at an early hour, the children, young ladies and gentlemen of Greensboro, belonging to the several Sunday Schools, accompanied by their teachers, repaired to the depot, where they found a train of cars ready to convey them to the grounds selected for their picnic. Their destination was eight miles west of Greensboro at "Umbria," the home of the late Colonel Samuel Pickens, who was the first comptroller of public accounts for the State of Alabama. In a short time the party was safely landed, and the bright faces of the children predicted a happy day, which they most assuredly had. It was a wonderful day, because these children had never ridden on a train before. It was a trip and outing that they never forgot. Just to hear the whistle blow and the bell ring was really a joy and thrill that lingered through their lives.

A resolution was adopted, thanking General Forrest for his kindness and liberality in furnishing the train free of charge,

and Mr. W. R. Wyatt, assistant superintendent of the road who was in charge of the train and who put himself to no little trouble to make the trip a pleasant one and for the many favors shown.

On Saturday, August 17, 1872, Messrs. Rucker & Company, who were leasees of the male convicts of the Alabama Penitentiary, had them all at work between Eutaw and the Warrior River. Messrs. Pledge & Company had also resumed work on the Warrior River Bridge. Prospects were very bright for the road at that time, and all things were working well.

On Friday, August 16, 1872, it was announced from the office of General E. W. Rucker, assistant superintendent of the railroad, that on and after this date the mail train would run to Sawyerville daily, where C. C. McLemore's splendid line of stage coaches would connect, taking passengers through to Eutaw, Ala., the same day without detention.

On Saturday, December 14, 1872, it was reported that General Rucker, assistant superintendent of the railroad, had brought the convicts in Greene County to the Hale County side of the Warrior River to finish a little grading between the present terminus and the river, when he would recross the river and push on to Eutaw. It was understood the heavy work on the Warrior Bridge would be completed within six or eight weeks, the weather permitting.

Judge James M. Hobson and Mayor L. J. Lawson left Greensboro on Tuesday, March 4, 1873 to attend the annual meeting of the stockholders of the railroad, the former representing the county stock and the latter that held by the town of Greensboro.

Judge Hobson and Mayor Lawson returned to Greensboro from the stockholders' meeting in Memphis on Saturday night, March 8, 1873. Judge Hobson stated as to the action of the meeting: General Forrest was reelected president; Mr. Samuel Tate, vice-president; H. D. Bukley, treasurer; J. P. Fresenius chief engineer.

General Forrest reported that the financial condition of the road was anything but encouraging. He stated that unless money could be realized on bonds, or in some other way, work on the

road would have to be stopped. Capitalists appeared to be indisposed to invest in Southern Railroad securities.

On July 26, 1873, there was a special meeting of the Board of Directors. The directors found the road to be in better condition than expected, and were quite confident of succeeding in this much needed enterprise. In addition to other business attended to, the Board passed the following resolution, which was offered by Colonel B. M. Woolsey, one of the directors from Selma, Ala.: Resolved: That we have implicit confidence in the ability, energy, and capacity of General Forrest, president, and feel that if he receives the earnest support of the friends of the enterprise, and the people on the line of the road, that he will carry it to a successful completion.

Generals Forrest and Rucker, and Captain J. P. Fresenius, spent several days in Greensboro the week of August 2, 1873, looking after the interest of the road. General Forrest was very hopeful as to the condition of affairs, and said that the road was in a healthier condition than it ever had been, because of having reduced the floating debt, within the past three weeks, \$200,000.

On Friday, September 5, 1873, he left for New York to endeavor to effect negotiations that would secure the early construction of his road from Sawyerville to Eutaw. He returned on September 13 and reported that it was impossible to negotiate for money to build his or any other road. He was present during the money panic on Wall Street, and said that nothing in his military or civil career equalled it. The demoralization was complete. The General also said that if the people wanted his road finished as it should be, they would have to do the work themselves.

An important railroad arrangement went into effect on September 5, 1873, by which the Selma, Marion & Memphis Railroad Company effected a lease of the right of way over the Alabama Central Railroad for their trains from Marion Junction to Selma. Passenger and freight trains immediately began running from Greensboro to Selma, without hindrance or delay. This enabled the road to make reductions in freight and passenger rates, which was a decided benefit to the people along the line of the road.

General Forrest, who had been president of the Selma, Marion & Memphis Railroad Company since its organization, resigned that position the first of April, 1874. The Holly Springs, Mississippi, Reporter had the following to say on Saturday, May 2, 1874: "General Forrest in resigning the presidency of the railroad, to relieve the company of any embarrassment it might suffer from his connection with the management, is greatly commended by his friends and accepted by the public generally as an act of Self-sacrificing patriotism."

It was announced on May 8, 1874, that the railroad had annulled the contract for the right of way over the track of the Alabama Central Railroad, from Marion Junction to Selma, Ala., which was entered into on September 5, 1873. It was also announced that trains would leave Greensboro on Mondays, Thursdays and Saturdays at 7:30 a.m., returning the same days at 7:23 p.m. from Marion Junction.

On Tuesday, May 26, 1874, Colonel B. M. Woolsey of Selma, a director, and Colonel A. J. White of Memphis, Tenn., the newly elected president of the railroad, were in Greensboro looking after the interest of the road. They reported that Captain W. M. Forrest, the superintendent of the road had tendered his designation, and that General E. W. Rucker, assistant superintendent, who was a railroad man of no little experience, had been appointed to fill the vacancy.

On October 3, 1874, it was reported from an interview with Colonel A. J. White, president, that he gave no immediate encouragement as to the resumption of the work on the road. He had no hopes of it, and would tender and insist upon his resignation at the next meeting of the Board of Directors. The floating debt of the company was large, and the condition of the company's affairs at that time was embarrassing in the extreme, so much so that Colonel White had no idea of its success.

Even with all the financial embarrassment of the company, it was reported on December 12, 1874, that General E. W. Rucker, the efficient superintendent, was building a line of telegraph along the line of his road from Greensboro to Marion, where it would connect with the Western Union Line.

At a meeting of the stockholders, held in Memphis, Tenn., on

December 9, 1874, Honorable Porter King was elected president; General E. W. Rucker, superintendent; and Major A. M. Fowlkes, treasurer of the Alabama division of said road. All of these men were from Marion, Ala.

On Saturday, February 20, 1875, it was announced that Major A. M. Fowlkes had been appointed receiver of the Selma, Marion & Memphis Railroad Company by Mr. Pack, Register in Chancery of Perry County, and had taken possession of the road. He excuted a bond of \$10,000 with Messrs. E. T. Fowlkes, H. A. Stollenwerck, S. A. Fowlkes, and A. G. Stollenwerck as sureties.

On Saturday, August 25, 1877, it was reported that General Forrest, whose health had been poor for some time past, was at Bailey Springs in North Alabama. Six weeks before his death, he came back from the Springs a mere shadow, to be taken to his residence on President Island, near Memphis. There he remained until Sunday, October 28, when his condition became so hopeless that he was brought back to the home of his only surviving brother, Jesse, in Memphis. During that day and the next he recognized a few old friends and roused up to speak to Jefferson Davis, when the ex-president of the Confederacy came to his bedside. General Forrest died at half past seven o'clock in the evening of October 29, 1877, in the 56th year of his age.

On Wednesday, the last day of October, 1877, they buried him in accordance with arrangements made by his Confederate comrades in arms at a memorial meeting held the afternoon before. The funeral procession moved from the home of Jesse Forrest to the church on Court Square, and on South to Elmwood Cemetery, a line of march of three miles, lined by 20,000 people, white and black.

On November 7, 1878, the sale of the Selma, Marion & Memphis Railroad was confirmed. The purchasers were: Alexander W. Jones, E. W. Rucker, Edward K. Carlisle, Jno. W. Crenshaw, Lucy A. Crenshaw, William M. Brooks and William T. Crenshaw, the price being \$75,000, \$10,000 cash.

On the same day of the sale, the said purchasers of the road made and executed an agreement in writing and thereby con-

stituted themselves into a body corporate and politic under the name and style of the Selma and Greensboro Railroad Company.

Thus with the foregoing edict, the end came to the Selma, Marion and Memphis Railroad, that the "Wizard of the Saddle," General Nathan Bedford Forrest of Civil War fame, built in Alabama.

It is my fervent hope that a marker commemorating General Nathan Bedford Forrest in the building of the Selma, Marion & Memphis Tailroad will soon be appropriately placed and dedicated to his memory in Greensboro.

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AN ALABAMA LITERARY MOVEMENT

A History and a Tribute

By Frances Durham*

Through the very kind cooperation of Dr. Peter A. Brannon, Director Department of Archives and History, State of Alabama, the records of the Alabama Pen women have at last found a home. It may be timely to review here the history of this 45-year old literary movement, which is dotted with so many well-known names, that it seems a galaxy of stars. Alabama Pen Women have reason to be grateful to Dr. Brannon, and before that to the Mobile Public Library, particularly Mrs. Emma C. Harris, custodian of the Southern History Collection, for preserving their records.

Mr. Joe Templeton, Director of the Mobile Public Library, advised Miss Vivian Jelks, State President of the Pen Women, early in 1961, that urgent need for space would require removal of the Pen Women collection, along with other materials for which the library no longer had house room.

Miss Jelks agreed, as State President, to take temporary custody of the Pen Women archives, until it could be determined what to do with them. She appointed a committee for surviving members of the original group, to decide as to the best disposition of the materials. This committee decided to offer the collection to the State Department of Archives and History for permanent safekeeping. Basis for this decision was: The Department of Archives and History could give a permanent home to the Collection; the organization was and is state-wide, hence it is logical for its records to be housed in a state department at Montgomery; the Department has modern equipment and a trained staff through which the records may be made available to the public in general and to researchers in particular.

* Frances Durham (Mrs. Ruffin of Fairhope, Alabama, has held state and national office in the Pen Women. Her career in journalism and public relations has been punctuated with short stories, articles, and fugitive verse, notably *Dungi Speaks*, a narrative poem in which the central figure is an astronomer, imagined as the first to discover the Star of Bethlehem. The documentary above is based on Pen Women records which have been presented to the Department of Archives and History.

Dr. Brannon's response to this offer was prompt and cordial. The documents have been formally transmitted to Dr. Brannon, and it is hoped many persons will find them interesting and helpful. While the Pen Women Collection is not voluminous, it contains items of a cultural nature, some of them irreplaceable. The minute books, scrap books, and reports were meticulously kept and trace the history of the Alabama Pen Women, the achievements of individual members, and the numerous community-related projects which engaged their attention. The records cover almost half a century, beginning with the first seven years when it was a state organization only, down to the present when there are also four local branches in the state: Mobile, Selma-Montgomery, Birmingham, and South Alabama.

In 1916, Rosa Meyers Mumma (Mrs. Ellis Lewis), a resident of Robertsdale, Alabama, had followed her banker husband from Pittsburgh to Baldwin County, where considerable expansion was going on. Her home was unique, a center of culture and beauty, set down in the midst of pine woods, and she was an ardent Pen Woman. Mrs. Mumma had been appointed State Representative for Alabama by Miss Jessie Amelia Griswold, national president, with a directive to organize a group in Alabama. Headquarters of the League, then as now, was in Washington, D. C. For purposes of clarification, it should be noted that during the first seven years the ranking state officer was called "State Representative"; later, for five years, she was known as State Vice-President. There was so much confusion—someone would invariably ask: "Who is State President?"—that National changed the title to State President.

Mrs. Mumma interested a number of women artists, musicians and writers—workers in the pen arts—who were eligible in the sense that they received pay for their productions. She called them into a meeting, December 12, 1916, in the Cawthon Hotel, Mobile. An organization was effected. The first officers elected were: Narcissa Tayloe Shawhan (Mrs. Charles), President; Kate Lea Donald (Mrs. Harry), Vice-President; M. E. Henry-Ruffin (Mrs. Frank G.), Treasurer; Miss Anne Bozeman Lyon, Secretary. The name chosen for the new organization was "Alabama Auxiliary, League of American Pen Women." Later the term "Auxiliary" was changed to "Branch." Thus began

the first Pen Women group to be organized in the Deep South. The "Narcissus Poeticus" was adopted as the state flower, in compliment to Mrs. Shawhan, and white and gold as the official colors. The records contain a number of early reports, quaintly tied in the manner of the day with white and gold ribbons.

The Auxiliary was invited to be a member club in the Federation of Women's Clubs and did yeoman service for federation causes. After some years the Auxiliary resigned from federation membership since Pen Women had state and national affiliation through their own League.

The women who signed the 1916 charter, including the officers already named, were dubbed "The Storied Twelve" by Miss Lyon. Mrs. Shawhan, a journalist, was later to become a nationally known author and lecturer on parliamentary law. Mrs. Donald's *A Daughter of the Gods*, remains the best definitive biography of Helen of Troy collated from every possible source. Mrs. Ruffin, highly rated by critics as a "powerful story teller . . . of great skill . . . vivid and picturesque," is best known for her novels, *The North Star*, *Shield of Silence*, *Eden on the James*, her volumes of verse, *Drifting Leaves* and *John Gillart*, and countless poems and short stories. Miss Lyon's fugitive poems hold a poignant beauty that still thrills the reader.

Other charter members were Fanny Lesesne Johnstone (Mrs. Elliott) essayist and club critic; Amanda Moore Goldthwaite (Mrs. Henry) sparkling writer of social events that included a dinner in Panama with the Prince of Wales, editor of a gossip weekly, "Chat," and correspondent at Ancon, Canal Zone, for nationally known periodicals; Kate Ayers Robert (Mrs. Paul) writer of occasional verse; Emma Langdon Roche, one of Mobile's most gifted artists for whom the Mobile Library named its Emma Langdon Roche Room, author and illustrator of *Historic Sketches of the South*, a scholarly and understanding treatise on the Southern Negro, and a painter whose oils placed first in important shows; Jessica McGuire (Mrs. W. W.) a home demonstration agent and writer; Annie Shillito Howard (Mrs. William) notable for her pageants and for the book, *Enchantment in Iron*, about Mobile's "iron lace," exquisitely illustrated by her husband, and her long poem, *Mobilienne*; Mary McNeil Fenollosa (Mrs. Ernest) author of *Truth Dexter*, *The Dragon*

Painter, Breath of the Gods and after her husband's death, co-author of his monumental unfinished work on Oriental art; Eugenia Marx (Mrs. Melvern D. Metcalfe of Sioux Falls, S. D.) journalists and poet, selected by the Jewish Welfare Board for service overseas, in the First World War, with headquarters in Paris.

Subsequently "The Storied Twelve" were joined by others, a list too long to detail here, but to be found by reference to the records. Among the celebrities was the Princess Troubetskoy, (Amelie Rives) wife of Prince Paul, author of *The Quick and the Dead*, *According to St. John*, and other novels, a woman of great beauty, whose books, metropolitan critics said, were among the best of her day. Winifred Kimball, a Mobilian living in Apalachicola, Florida, won \$10,000 for her scenario, *Broken Chains*, in a Chicago News nation-wide contest. Rosine Pillichody Cox composed the "Mobile Rifles March," an item now and part of this Pen Women collection. Rose Kahn, in those days a beginning journalist, is now Women's Feature Editor of The New Orleans States-Item. Katherine Hopkins Chapman of Selma, notable short story writer, was elected National Vice-President, first Alabamian to achieve national office. Anne Raphael Boone (Mrs. B. B.) left Mobile to become a reader in the medical books' department of Appleton's New York Publishing house.

Browsing through these old records one is struck by the fact that here was a group of women, brilliant and prolific, that has not been matched since. They operated on a shoe string, for the treasurer's book shows balances of \$8.00, \$3.23 and such like meagre amounts, and one is astonished to find that the First National Bank faithfully sent statements each month. The number and variety of community activities undertaken by the Pen Women—some of these activities could by no stretch of the imagination be called "literary"—are amazing. For example: Pen Women conducted patriotic "sings" in the parks as a war time gesture; put on canning demonstrations, Hoover Lunch-eons out of jars in behalf of food conservation, wheatless and meatless parties, gave a silver trinket tea in aid of "Wings for the USA," a war Relief Bazaar, endorsed Opera-in-Our-Language, backed the public library movement, endowed a bed at the American Hospital in Neuilly, France, gave benefits for an

invalid member, put on a suffragette play by the Uncrushed Comedy Company for the soldiers at Fort Morgan, raised funds to equip a War Prisoners' Home, helped stage a Veterans' Tag Day, presented gavels of silver and mahogany, right and left to officials, planned to beautify city parks with trees named for famous Alabama writers, planted shrubbery around the statue of Abram J. Tyan, poet-priest of the Confederacy, helped a dental clinic project, endorsed Muscle Shoals development by Henry Ford, sent a wreath by Mrs. Oscar Underwood to the tomb of the Unknown Soldier, came out firmly for better speech and cleaner journalism, interceded with Governor Gifford Pinchot for the release of a prisoner, Clarence Alexander Rea, incarcerated in Eastern Penitentiary, Pa., for stealing books. In May, 1921, Alabama Pen Women joined with other groups in a crusade, urging the State Department and the Congress to secure the immediate release of Marguerite Harrison, American newspaperwoman, imprisoned by the Soviets. No doubt due to this crusade, Mrs. Harrison was freed. The auxiliary also started a library of Pen Women books, but they have been scattered.

Scarcely two years old, the Alabama Auxiliary was suddenly threatened with dissolution. National advised that since no regular meetings had been held for a year, the Auxiliary's charter would be revoked. The outcry from Alabama members was instantaneous and indignant. They deposed that in the face of the national calamity, the calls made upon them by doctors and hospitals, the need for nurses, the flu epidemic, and the death on June 1, 1918, of their founder and mentor, Mrs. Mumma, they were helpless. National made a strategic retreat, the patriotic work of the auxiliary was recognized, the charter was retained, and the organization got off to a new year in the fall of 1919.

In 1923, Mrs. Chapman, then State Vice-President, acting upon a directive from National, began to organize local units throughout the state. Before her death she had started three such units, Mobile, Selma-Montgomery, and Birmingham. There are now four, South Alabama Branch having been organized by Frances Durham during her term as state president, 1956-58. Extension, under the constitution, is one of the functions of a state vice-president.

Of Selma's organization, Brockenborough Fitzhugh Smith wrote:

"The gloom of the (First) World War was not yet dissipated. Even Selma, seat of aristocracy of the Old South, felt the need of a cultural spiritual awakening. Mrs. Chapman, solitary Selma Pen Women and later Fifth Vice-President, (National) of NLPWA, invited to her home five writers (February, 1923)."

They elected Elinor Evins Stewart, President; Alice Alison Lide, Vice-President; Mary Butler, Secretary-Treasurer. These eligibles were joined as charter members by Mrs. Smith, Elizabeth Winston Sheehan, Eugenia Bragg Smith, Anne Arrington Tyson, and Belle Allen Ross, Montgomerians, so that the group became a hyphenated Selma-Montgomery branch.

Commenting on this, Mrs. Sheehan writes: "This branch might truly be called the Selma - Montgomery - Eufaula - Clayton - LaFayette - Tuscaloosa - Eutaw - Greenville - Wetumpka - Marion - Ozark - Troy - Ramer - Camden - Auburn Branch, since many towns in Middle Alabama were represented." Mrs. Sheehan remains custodian of the records for this branch.

Mrs. Chapman transferred her membership to her home town, Selma, when she organized that unit. Simultaneously, Mobile Branch became a entity, distinct from the State Branch. Mrs. Shawhan is listed as its first President. Mobile's local branch carried on until the Mid-Thirties. Members then were growing older, illness, death, resignations and the depression were taking a heavy toll. In 1936-37, according to the minute book, there had been no meeting of the local branch for a year. On Page 106 of the Treasurer's Book, there is the sad notation: "Local dues (\$2.50), owing to the depression, were suspended for members, 1932-33." In February, 1939, national dues of three members were forwarded to Washington, and with this entry, Mobile Branch folded up. For an interim of over a decade there was no active Mobile Branch. Early in the 1950's a group of five interested women reactivated the Mobile Branch, meetings were resumed, and it still carries on.

The Birmingham Branch, according to Una Reeves, current President, was organized February 28, 1925, by Frances Youngblood. Mrs. Chapman installed the following officers: Kate Speake Penney, President; Miss Youngblood, Vice-President; Emily McBride, Secretary-Treasurer. Others included in the

organization were Nellie K. Murdock and Dorothy Youngblood. The Birmingham Branch more than doubled its membership during the first two months. It has always been the largest unit, numerically, in the State. Frances Youngblood's principal contribution was her initiation of annual state meetings, when she was State President, 1928-30.

South Alabama Branch was organized February 23, 1957, by Frances Durham during her term as State President. This branch had the honor to receive its charter from the National President, Dorothy Betts Marvin, at the State meeting in Montgomery, March 16, 1957. It was the first new Pen Women branch in Alabama in 32 years. Sara Campbell Liby was elected first President; Vivian Jelks, Vice-President; Evelyn Hinz, Corresponding Secretary; Shelby Holbrook, Recording Secretary; Lucille Lloyd, Treasurer. Others in this original group were Corinne Demetropolis and Mary Frances Militano.

During her administration Mrs. Durham emphasized the presentation of the citation "Honorary Penguin" to men who had performed some service for the Pen Women. It is Pen Women tradition that men relatives become, automatically, *Penguins*. Extending this pleasant custom, Alabama branches have named several men, *Honorary Penguins*. The list includes Charles Daniel, Assistant Director, Mobile Public Library; John Fay, Fine Arts, Editor, The Mobile Press, Register; Dr. Emmett Kilpatrick, Troy State College; Dr. George Lang, University of Alabama; Mr. Clinton Balmer, Lychburg, Publishers' Representative; Dr. M. L. Orr, Alabama College; George Waller, former U. S. Consul, Montgomery; Rev. William Hill, Rector, St. James Episcopal Church, Fairhope; Mr. Joe Mitchell Pilcher, Montgomery; Dr. J. Clarendon McClure, Mobile.

One of the goals Mrs. Durham set for herself as State President was to leave for Pen Women an accurate list of their State Presidents. Not an easy task, but with the help of others, Mrs. Durham was able to compile the following list of 22 names to date:

State Representative

*Rosa Meyers Mumma, Robertsdale	1916-17
*Anne Bozeman Lyon, Mobile	1917-20
(Resigned February 7, 1920)	

*Narcissa T. Shawhan, Mobile 1920-23

State Vice-Presidents

*Katherine Hopkins Chapman, Selma 1923-26

*Katherine Speake Penney, Birmingham 1926-28

State Presidents

Frances Youngblood, Birmingham 1928-30

*Eugenia Bragg Smith, Montgomery 1930-32

*Nellie K. Murdock, Birmingham 1932-34

*Marie Bankhead Owen, Montgomery 1934-36

*Mittie Owen McDavid, Birmingham 1936-38

Willie Hughes Tarpley, Birmingham 1938-40

*Lelia Fearn Lusk, Guntersville 1940-42

Genevieve Airey, Wetumpka 1942-44

*Leilamay Scott, Birmingham 1944-46

*Florence Moss, Birmingham 1946-48

Elizabeth Winston Sheehan, Montgomery 1948-50

Sallie Hill, Birmingham 1950-52

Anne Kendrick Walker, Eufaula 1952-54

Maud Elliott, Birmingham 1954-56

Frances Durham, Fairhope 1956-58

Madera Adams Spencer, Montgomery 1958-60

Vivian Jelks, Mobile 1960-

*Deceased

THOMAS COOPER DeLEON:
ALABAMA'S FIRST PROFESSIONAL MAN-OF-LETTERS

by

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Taken as a whole, nineteenth century Alabama authors were writers by avocation only. In the case of the male author, writing was the product of spare moments left over after the legislative hall, the court room, or the hustings had taken the fire and energy of his words. The familiar pattern of lawyer-politician, and its variations of lawyer-editor, lawyer-historian, and editor-politician, is found in the biography of nearly every nineteenth century Alabama writer. Alabama's female authors of the same period, even those who enjoyed some success as writers, did not devote their entire careers to earning a livelihood by the pen alone. With the possible exception of Caroline Lee Henzt, who turned to writing exclusively only in the last decade of her life after a long career in teaching, the women came from wealthy families or were married to men of means.

In Alabama, as throughout the South, the sectional issues and later the problems brought on by Reconstruction demanded the full-time effort of the most talented men in the political arena. These issues, which consumed the imaginative talents of Yancey and drew fledgling writers such as William Russell Smith, Alexander Beaufort Meek, and Henry Washington Hillard into the political maelstrom of the time, dominated the thinking of the gifted writer. The first truly professional Alabama man-of-letters, Thomas Cooper DeLeon, began his nearly half a century of authorship immediately after the Civil War.

Thomas Cooper DeLeon was born on May 21, 1839, in Columbia, South Carolina. Both of his parents were of Spanish descent, the families having migrated to the Spanish West Indies and later to South Carolina before the American Revolution. His father was a respected physician in Columbia, and an admirer of the erstwhile president of South Carolina College,

Dr. Thomas Cooper, whose death ten days before Thomas Cooper DeLeon's birth provided the author with his given names.

T. C. DeLeon was the child of his parents' old age; consequently his education and guardianship soon fell to his two older brothers, David Camden and Edwin.¹ He received part of his education at Fort Prevel, Maine, and then attended Rugby Academy in Washington, D. C., where his brother Edwin was conducting the political organ *The Southern Press*.² One of his classmates at Rugby was Henry Watterson, later a distinguished editor of the *Louisville Courier-Journal*. After his preparatory course at Rugby Academy, DeLeon entered Georgetown College to pursue a course in engineering. As an undergraduate he gained a reputation among his friends and classmates as a wit and raconteur, contributing essays, stories, and verses to several periodicals including the renowned *Southern Literary Messenger*. It was during these college years that DeLeon formed his life-long friendship with the Maryland poet James Ryder Randall.

In 1853, when his brother Edwin was appointed consul-general to Egypt, Thomas was left in the care of his brother's close friend, Jefferson Davis, then serving as Secretary of War in President Pierce's cabinet.³ This association with the future Confederate President was to lead to a unique war-time assignment.

Upon his graduation from Georgetown in 1858 with a degree in engineering, T. C. DeLeon put aside his greater interest, the world of letters, and accepted a position as an audit clerk in the Bureau of Topographical Engineering in Washington, D. C. He remained in this position until the early months

¹ David Camden DeLeon (1813-1872) was a U. S. Army surgeon and first Surgeon-General of the Confederacy. Prior to his Confederate service he had served in the Seminole War and the Mexican War during his twenty-five years in the U. S. Army.

Edwin DeLeon (1818-1891) was a lawyer, journalist, and diplomat. He served as consul-general to Egypt under Presidents Pierce and Buchanan, and as director of Confederate propaganda in Europe during the Civil War.

² T. C. DeLeon, "Biographical Memoranda, "(DeLeon file, Alabama Department of Archives and History, Montgomery, Alabama), April 30, 1913.

³ T. C. DeLeon, *Old Vets Gossip* (Mobile, 1911). This magazine has no page numbers.

of 1861 when he departed from the federal capital and made his way to the new capital of the Confederacy at Montgomery, Alabama, to serve his native Southland.

His brother David Camden DeLeon had already resigned his commission in the United States Army, in which he had served for twenty-five years as a medical officer, and offered his services to President Davis. The latter immediately appointed him to the post of Surgeon-General. His brother Edwin likewise resigned his federal consul post in Egypt, running the Union blockade to rally around the President of the new nation. Davis dispatched Edwin to Europe where he was charged with conducting the Confederate propaganda campaign in foreign presses.

In 1862, Thomas Cooper DeLeon was commissioned a captain in the Confederate Army,⁴ and throughout the war served as secretary to President Davis, being "intrusted with confidential correspondence."⁵ This service, which connected him intimately with the Confederate leaders, became the basis for his most significant work, *Four Years In Rebel Capitals*.

As soon as the war was over, Thomas Cooper DeLeon set out upon his long career as author, editor, and publisher. In 1865, he became editor of *The Cosmopolite*, a magazine published in Baltimore, Maryland. It was during his nearly two years of residence in Baltimore that he collected and published one of the first anthologies of Confederate war songs and poetry, *South Songs* (1866).⁶ This was DeLeon's first book.

DeLeon, seeking to enhance his literary opportunities, spent parts of the years 1866 and 1867 in New York City where he wrote a series of newspaper articles under the *nom de plume* "Dunne Browne."⁷ At this time too, his "Four Years in Rebel Capitals" began to appear serially in the (Mobile) *Sunday Times*. Parts of this same series also appeared in McClure's *Philadelphia Times*.⁸ In addition to his newspaper articles,

⁴ T. C. DeLeon, "Biographical Memoranda," loc. cit.

⁵ T. C. DeLeon, "The Real Jefferson Davis," (newspaper article dated December, 1908, in the Asa Stratton Collection, Alabama Archives).

⁶ T. C. DeLeon, *South Songs* (New York, Blelock and Company, 1866).

⁷ Louis DeVendel Chaudon, "Sketch of the Author," in DeLeon, *Four Years In Capitals* (Mobile, 1892), p. 7.

⁸ T. C. DeLeon, *Old Vets Gossip*, loc. cit.

DeLeon found time to translate two French novels, Octave Feuillet's *Camors* (1866) and Ernest Feydeau's *Chalis* (1867).

The "Dunne Browne" articles were circulated widely, and brought DeLeon to the attention of the owners of the *Mobile Register* who offered him the position of managing editor of the *Register* in 1867. From the day of his arrival in the Gulf city until his death forty-seven years later, DeLeon was a resident of Mobile.

T. C. DeLeon was a man of almost infinite energy, and he was rarely satisfied unless he was engaged in several enterprises concurrently. Soon after taking up his editorial duties on the *Register*, he became interested in the theater. In 1870 he wrote a dramatic burlesque, *Hamlet, Ye Dismal Prince: Ye Bigamist and Ye Ghoste*. This play was produced at the Olympia Theater in New York, having an amazing run of one hundred nights. In the next four years, DeLeon had three more plays produced in New York although none was as successful as the first.⁹ From 1873 to 1884, he also managed the Mobile Theater.¹⁰

DeLeon's flair for the dramatic lead him to undertake the organization of the Mobile Mardi Gras carnival in 1873. The "Cowbellian de Rakin Society," composed of young men of Mobile, had been orgainzed on New Year's Eve in 1830. It had begun as a masking society devoted to public parading and celebrating, and later became dedicated to welfare work as well. Through the years other masking socities had orgainzed for similar purposes, but the celebrations were held at various times during the year. Many of the parades were held on the day before the Lenten season began, Shrove Tuesday. DeLeon organized and formulated the various societies into one week-long event, culminating on "Fat Tuesday," or Mardi Gras.¹¹ For twenty-five years DeLeon managed the Mardi Gras in Mobile, gaining a nation-wide reputation for staging such public pageants. In 1874 and 1875, he was called upon to organize carnivals in Pensacola, Florida; and in 1876, Vicksburg, Mississippi, employed him to stage their celebration. He

⁹ The three plays were *Pluck*, a comedy, 1873; *Jasper*, a mystery based on Dickens' *Edwin Drood*, 1873; and *Bet: or Through Fire and Water*, 1874.

¹⁰ Louis Chaudron, *op. cit.*, p. 9.

organized the first Baltimore "Oriole" carnival in 1881, and managed the Albany, New York, Bi-centennial in 1886. He extended similar services to Civil War veteran's organizations, conducting the Blue-Gray Drill in Mobile, in 1885, and the National Drill in Washington, D. C., in 1887.¹²

During the period of these activities, DeLeon also produced a stream of prose fiction and articles for such magazines as *Harper's*, *Appleton's*, *Leslie's*, and *Lippincott's*.¹³ In 1871, Lippincott's published the first of his novelettes, *Cross Purposes*, a Christmas romance in which a child's parents humor him with a story which relates the events leading to their marriage. In 1888, DeLeon reissued the little book from his own Gossip press.

On the death of John Forsyth in 1877, the *Mobile Register* changed hands, and DeLeon left the newspaper to establish his own publishing house, the Gossip Printing Company of Mobile. In 1878, DeLeon undertook the publication of a literary magazine, *The Gulf Citizen*.¹⁴ After five issues the periodical ceased publication, suffering the fate of previous Alabama literary magazines—lack of financial support.

In the decade of the 1880's, DeLeon produced no large scale work. He continued to contribute to magazines, reissued some of his previously published books from his Gossip press, and spent much of his time as entrepreneur of carnivals and encampments. During this time, however, he began writing in an entirely new *genre*—travesty.

In 1887, DeLeon wrote the first of his travesties, *Coqsures; A Lay of a Very Late Encampment*. In this piece he ridicules, in a humorous way, the soldier, especially the veteran. The humor of the piece is not very universal, and for the modern reader it is not very funny. His travesty *The Rock of the Rye; An Understudy*. After "*The Quick or the Dead?*" (1888), is

¹¹ DeLeon, *Old Vets Gossip*, loc. cit.

¹² Thomas M. Owen, *History of Alabama and Dictionary of Alabama Biography* (Chicago, 1921), III, 477.

¹³ Eleanor Fallin McKellar, "Life and Works of Thomas Cooper DeLeon," (unpublished master's thesis, Auburn University, 1952), p. 7.

¹⁴ DeLeon, ed., *The Gulf Citizen* (June-October, 1878). There is a bound file of this periodical in the Alabama Archives.

more successful in that it is a recognizable literary parody of Amelie Rives' best selling novelette.¹⁵ The main character of *The Rock or the Rye* is Agammemna, who in every way represents the antithesis of the heroine of the domestic novel. She loves two men, both drunkards, and is attracted to the second because she thinks that he is wealthy. This was the most successful of DeLeon's travesties, running twenty-eight editions.¹⁶

In 1894, DeLeon attempted somewhat the same thing in his *Schooners That Bump On the Bar; or an Automatic Tow from "Ships That Pass In the Night."* The heroine of Beatrice Harraden's runner-up to the best sellers of that year comes in for much of the same treatment that DeLeon gave Amelie Rives' heroine.¹⁷ Vassarline Stryker, the girl in *Schooners That Bump On the Bar*, is depicted as something less than a female drunkard. At a resort hotel she meets an unlikely character, identified as the Bottomless Man, to whom she attaches herself for a time. These two spend most of their time drinking and carrying on nonsensical conversations. Following the holiday at the hotel, each goes his own way, Vassarline marrying and the Bottomless Man inheriting a large sum of money from an aunt. The whole piece is a hyperbole in incident and language of the popular domestic novel.¹⁸

Two other pieces in a similar vein, *Society As I Foundered It* (1890), a burlesque of Southern society manners and mannerisms, and *The Inauguration of President Watterson* (1902), a literary joke on his old friend, the editor of the *Louisville Courier-Journal*, contain some humorous passages, but are not as successful as the more obvious attacks on the domestic novel.

It is interesting to note that DeLeon, in his travesties, makes fun of the techniques and devices which he himself employed in most of his stories, novelettes, and novels, that

¹⁵ Frank Luther Mott, *Golden Multitudes* (New York, 1947), p. 249, wrote that Amelie Rives' book, "adored by sentimental young ladies, . . . did not fall far short of the top rank of best sellers."

¹⁶ Chaudron, *op. cit.*, p. 10.

¹⁷ Mott, *op. cit.*, pp. 315, 324.

¹⁸ McKeller, *op. cit.*, p. 35, considers the travesties to be third-rate humor, but fails to see, I think, the literary parody in which the greater part of the humor lies.

is, the traditionally pure heroine and the admirable hero. In one book only did he select a theme and character not wholly in the post-war tradition of popular romances.

Between 1889, and 1905, DeLeon produced prose fiction amounting to fourteen published titles in addition to poetry, non-fiction, and uncollected stories, poems, and essays which appeared in numerous periodicals.

In 1889 his novel *Creole and Puritan* was published in *Lippincott's Magazine*, marking his "first success" as a writer of popular fiction.¹⁹ In this book DeLeon discovered the success formula for post-war popularity, the love story of the Northerner and Southerner. A sequel to this book, *The Puritan's Daughter*, was issued by his Gossip press in 1892. Here again the love story of the creole, Adrain Latour, and the Northern heroine, Miss Moore, recommended the book to readers of both sections. Elsewhere in the book DeLeon finds praiseworthy attributes in his Northern characters, meanwhile casting the most favorable aura around the personal and social conduct of Southerners.

In the novelette *Juny; Or Only One Girl's Story* (1890), the verse novel *Sybilla; A Romaunt of the Town* (1891), and the epistolary novelette *Out of the Sulphur* (1895), DeLeon mildly attacks certain social practices which he evidently praises in his other books. The approach to his theme of triteness and over-emphasis on success in these books is not, as in the travesties, achieved through exaggeration and humor, but through characters who are victims of these social attitudes.

DeLeon's *John Holden, Unionist* (1893), written in collaboration with the Mobile journalist Erwin Ledyard, although replete with many of the devices of post-war information, is, I think, his most interesting and, perhaps, his most important work of fiction. The story is set in North Alabama during the Civil War. The title character is a poor farmer who owns no slaves, sees no purpose in the war, and feels no sense of loyalty for the Confederacy. He encourages his son, Hank, to desert the Confederate Army, and with the aid of his son's wife keeps the boy hidden from Confederate cavalry which is searching for deserters.

¹⁹ Chaudron, *op. cit.*, p. 9.

The character of John Holden is made somewhat repulsive. He is a vengeful troublemaker, and in the eyes of some Southern book reviewers, overdrawn. A contemporary review of the book states that "the average Unionist as he acted and thought was a better man."²⁰ The character of John Holden, even though exaggerated, is, I believe, more interesting and historically accurate than the stereotyped heroes and heroines of the popular novels of the day. The book is not without the usual love story. In the book, a brave but untutored farm girl, Jen Freeman (a thinly veiled portrait of Alabama's girl-heroine of the war, Emma Sansom), loves and is loved by the dashing Confederate cavalry lieutenant Beverly whose life she saves.

In *A Fair Blockade Breaker* (1891), *An Innocent Cheat* (1897), *Crag-Nest* (1879), and *The Pride of the Mercers* (1897), DeLeon returned, for the most part, to the success formula of his earlier fiction. In these books he extolls the virtues of the Southern maiden and the admirable qualities of the proud and honorable men, as well as the importance of family and social class. In each story the love plot is developed, almost mechanically, as lovers meet, are separated by trivial misunderstandings, and, of course, reunited happily at the end. In those books in which Northerners are portrayed, for example, the "Yankee" soldiers who make a search of the plantation "Crag-Nest" in the novel, DeLeon shows that there were men of virtue and good breeding at the North as well as the South. In *The Pride of the Mercers*, he indicates that too much family pride, especially where it is unmerited as in the case of General Mercer's son Clay, can be an evil.

A collection of three short stories, published in 1887 under the title *A Bachelor's Box*, is replete with the same characteristics as the longer fictional works of DeLeon.²¹

Of the miscellaneous prose writing published by DeLeon, the series of pamphlets entitled *Our Creole Carnivals* (1890-99)

²⁰ (review) "John Holden, Unionist," *Birmingham Age Herald*, April 21, 1893.

²¹ This writer has been unable to find two prose works in the DeLeon bibliography, *Tales of the Coves* (1903) and the *Passing of Arle Haine* (1905).

is the most interesting to the modern reader. In these pieces he traces the history and development of the Mardi Gras and gives a current account of the carnivals during the 1890's. In his only political publications (other than his writings as managing editor of the *Mobile Register*), DeLeon came out in defense of the Democratic party in *The Rending of the Solid South* (1895) and *East, West and South* (1896). The latter is a plea in support of Bryan against McKinley.

In poetry, DeLeon gained sufficient notice for his occasional verses to earn the sobriquet of "Blind Laureate of the Lost Cause."²² There is no evidence of any great talent in his verse publications, but for the occasions on which they were written DeLeon's poems seem to have caught the spirit of the events. In his best known verses DeLeon pays tribute to such famous men as "Stonewall" Jackson, Lee, Ryan, and Lafayette. "Asleep With Jackson" is his tribute to the Confederate general, and "Paladin and Poet" is a joint praise to Lee and Ryan. On June 17, 1902, his "Tribute of the Flags" was delivered on the unveiling of the Lafayette statue in Washington, D. C. He composed the poem "The Living Lee for the Washington-Lee Centennial on January 15, 1907.

In biographical and reminiscence writing DeLeon made his most significant contributions to Alabama's literature. In 1890, he brought together in one volume his reminiscences of the political and social leaders of the Confederacy in his *Four Years In Rebel Capitals*. A second edition of the work was issued in 1892. By virtue of his close association with Jefferson Davis throughout the war, DeLeon had been in a position to record personal characteristics of the men and women of importance in the Confederate capitals of Montgomery and Richmond. The book is an odd mixture of important and unimportant personages who inhabited those cities in war time. The book records his observations of the political and social scene from the spring of 1861, in Washington, to the evacuation of Richmond in 1865.

DeLeon's last two important publications were his biography, *Joseph Wheeler* (1899) and *Belles, Beaux, and Brains of the Sixties* (1907). The former was a timely account of

²² Owen, op. cit., p. 477.

Alabama's famous soldier who served as a general in both the Confederate Army and the United States Army in the Spanish-American War. *Belles, Beaux, and Brains*, which appeared first serially in the magazine *Town Topics*, is similar in content to the material in *Four Years in Rebel Capitals* but deals exclusively with biographical reminiscences. In 1912, DeLeon published a pamphlet entitled *Centennial Remembrance Book of Colonel John Forsyth*, a tribute to his friend and associate on the *Mobile Register* during Reconstruction days.

From the time he established the Gossip Printing Company until his death, DeLeon had issued, at irregular intervals, a little magazine, *The Gossip*, and from 1910 to 1914 he edited a continuation of this little periodical under the title *Old Vets Gossip*. The last issues of this magazine were filled with essays of reminiscences of the Civil War and its Southern heroes. In perhaps the last letter written before his death, DeLeon mentioned his plan to put out an issue of the *Gossip* to commemorate his seventy-fifth birthday on May 21, 1914.²³

The tremendous productivity of DeLeon is even more amazing when one considers the fact that after going blind in 1903 he continued to write and publish with unabated energy. In his middle sixties, he learned to use the typewriter, continued his *Gossip* magazine, wrote and published several novels and short stories, and completed the almost impossible task of arranging the materials for *Belles, Beaux, and Brains*....

In the spring of 1914, DeLeon suffered two paralytic strokes, the second one fatal. He died on March 19, 1914, two months before his seventy-fifth birthday. His passing was noted by the press throughout the South, and the *Mobile Register* gave him a front page tribute. DeLeon had never publicized his own Confederate service, and on his death one newspaper felt the need to justify his burial with war veterans in "Confederate Rest" of Mobile's Magnolia Cemetery "because of his work in later years . . . in perpetuating the heroes of the 'Cause lost but not forgotten.' in story and fiction writings."²⁴

²³ Letter from T. C. DeLeon to Thomas M. Owen, Mobile, March 14, 1914. (DeLeon file, Alabama Archives).

²⁴ "Mobile Author is Laid to Rest," (newspaper clipping in the DeLeon file dated March 21 [1914], Alabama Archives). In his "Biographical Memoranda," *loc. cit.*, DeLeon wrote that he held a captain's commission in the CSA.

From the accounts of his personality left by DeLeon's contemporaries there emerges a picture of a man of wit and irascibility. James Ryder Randall described him as " 'ready, available, quickwitted, accomplished, rapid, brilliant.' " ²⁵ The daughter of his landlady in his last years remembered him as a " 'brilliant and sometimes irascible man with a sense of humor.' " ²⁶ Erwin Craighead, a Mobile journalist, recalled that "his fine conversational gift and buoyancy of spirit gave him the entree everywhere," ²⁷ but also noted his irascible nature as well:

People engaged in co-operative effort for charity or whatnot found him difficult to get along with. . . . A rule was a rule with him. If any person thought it worth while to disregard it, friendship ceased and war began. ²⁸

DeLeon's literary abilities were highly praised by his uncritical contemporaries, although some recognized his limitations in fiction. His lack of sectional bias and his objectivity were characteristics of his writings often praised. One reviewer stated that "he has shown none of the narrowness that has defaced so many Southern books." ²⁹ Henry Watterson wrote " 'his work is so deft and his personality so withdrawn [that] he does not appear as a Southerner at all, and he could not be a Northerner.' " ³⁰

In praise of his fictional technique, Bishop wrote that His characters are drawn with a few bold and rapid strokes, rather than with the careful analysis which forms the method of so many novelists. Several of his books are what he calls "a mere succession of dramatic scenes," but being such they possess a dramatic force and vividness which would be impossible to a scriptive narrative. ³¹

²⁵ James Ryder Randall as quoted in Chaudron, *op. cit.*, p. 6.

²⁶ Miss Lorrain A. McCoy as quoted in George Fremault, "Mobilian Created Famed Book Here Despite Blindness," *Mobile Register*, May 18, 1947.

²⁷ Erwin Craighead, *From Mobile's Past* (Mobile, 1925), p. 56.

²⁸ *Ibid.*, p. 55.

²⁹ Julia T. Bishop, "T. C. DeLeon," *Houston Post*, October 29, 1893.

³⁰ Henry Watterson as quoted in Chaudron, *op. cit.*, p. 10.

³¹ Bishop, *loc. cit.*

Chaudron came nearest a just evaluation, stating that "he was born an essayist and an editor, his faculties being more critical and analytical than creative."³² Craighead felt that whatever success he attained in literature was "due in greatest part to his persistent publicity"³³ of his own writings in his magazine and in advertising circulars. Though not holding DeLeon's writings in high esteem, Craighead did recognize the indomitable spirit and perseverance of the man:

He never whimpered. He fought his fight bravely and cheerfully, even when blows fell that would have disheartened a less sturdy man; and he went on fighting, in the dark as in the light. From start to finish he led his army of one, and he died with the flag of DeLeon held resolutely high and its field unstained by any craven act.³⁴

DeLeon was never lured, as were most of his Alabama predecessors in literature, by the siren song of politics.³⁵ He devoted his life to the field of letters, and with energy and what talent he possessed, he wrung a living from writing. He lost no opportunity to promote his books,³⁶ and though his works were published in New York, Philadelphia, Chicago, London, St. Paul, and Atlanta, most of his books were issued or reissued from his own Gossip Printing Company of Mobile. DeLeon could have made a significant contribution to Alabama and American literature if he had had a creative ability commensurate with his enormous capacity for work. The melancholy fact is that from all his efforts only the Civil War reminiscences have a value for the literary and social historian of today. The bulk of his fiction must be relegated to the limbo that has swallowed up most of the post-war domestic fiction which made its appeal to the popular taste of the time.

³² Chaudron, *op. cit.*, p. 8.

³³ Craighead, *op. cit.*, p. 57.

³⁴ *Ibid.*, p. 58.

³⁵ In his "Biographical Memoranda," *loc. cit.*, DeLeon wrote, with regard to political office: "Thank the Lord [I] never wanted or asked for one anywhere," and to the inquiry as to his political party preference, answered: "Don't like the smell of it."

³⁶ See letter from T. C. DeLeon to Thomas M. Owen, Mobile, (no month), 30, 1913. (DeLeon file, Alabama Archives).

DISEASES IN THE ALABAMA BLACK BELT, 1875-1917¹

by Glenn N. Sisk

The Alabama Black Belt is a region of ten counties in the prairie land west of Montgomery, once a thriving cotton plantation section. This article deals with the people who lived there, and how they lived, between Reconstruction and World War I. In some other plantation areas of the South people probably lived much the same way.

Folks thought about sickness and ailments a great deal. Such mental preoccupation, which is evident from the correspondence of the period, was probably caused by the prevalence of illness and the ever present possibility of becoming a victim.²

The most common diseases in the Black Belt were smallpox, scarlet fever, diphtheria, yellow fever, dengue, malaria, tuberculosis, pneumonia, typhoid fever, and measles.³

One of the most dreaded maladies during the late nineteenth century was yellow fever. Dr. R. F. Michel contended that the yellow fever epidemic in Montgomery in 1873 was brought by two persons from Pensacola, Florida, and that it did not "spring from the soil" of Montgomery, nor was it caused by local conditions. These people, he contended, were exposed in Pensacola to "the yellow fever poison." This epidemic was more serious and prolonged than those of 1853, 1854, and 1855. Treatments included hot mustard bath, castor oil seidlitz powders, orangeleaf, black tea or sage tea. Doctors advised patients to keep warm, to apply mustard pediluvia, and to avoid stimulants and solid food. Beef tea, milk, lime water, gruel, chicken broth, and arrow root were permitted. Absolute rest and equable temperature in the sick room were required,

¹ For a longer treatment, see C. V. Stabler, "The History of the Alabama Public Health System" (unpublished Ph.D. thesis, Duke University, 1944).

² Edmund W. Pettus Letter Collection, 1865-1905, especially letters to Mrs. M. N. Lacy from Mrs. Pettus; *Eutaw Whig and Observer*, January 29, 1903.

³ *Transactions of the Medical Association of the State of Alabama*, 1870 (Montgomery, 1870), 251, 415-417; *ibid.*, 1871, 207, 218, 221, 312, 345; *ibid.*, 1872, 151-154; *ibid.*, 1900, 89-91; *Report of the Alabama State Board of Health*, 1883-84, 180; *ibid.*, 1895, 59.

and quinine sometimes was used. Careful observers noticed that the fever traveled both with and against the wind, that rain or clear weather made no difference, but that frost destroyed the yellow fever poison. After a "black frost" with ice on October 29 and 31, there was not another death by yellow fever reported after November 10.⁴

The reader can judge for himself the validity of these conceptions in the light of later discoveries that yellow fever is a bacterial disease carried by the mosquito.⁵

One of the most wide-spread and fatal yellow fever epidemics in the history of the country spread over much of the South in 1878. Dr. W. H. Sanders, prominent in Alabama state health work, was placed on duty that year as quarantine officer in Mobile Bay. As a member of a national commission to study the cause and the propagation of yellow fever, he aided in a report that paved the way for the Havana studies which discovered the actual cause of the disease.⁶

County officials quarantined their localities against persons or goods coming from places where there had been yellow fever. Vicksburg, Canton, Granada, and Holly Springs, Mississippi; Memphis; New Orleans; and Mobile were especially designated as infected areas.⁷ The authorities of Brandon, Mississippi even refused to receive a telegram from a place that might be infected.⁸

Yellow fever epidemics appeared at various places in the South during the seventies⁹ and the eighties. Some of these were as near the Black Belt as north Alabama and Pensacola,

⁴ R. F. Michel, M. D., "Epidemic Yellow Fever. In Montgomery, Alabama, Summer of 1873," extracted from the *Charleston Medical Journal and Review*, January, 1874, and copied in the *Montgomery Daily Advertiser*, January 11, 1874.

⁵ *New Standard Encyclopedia* (10 volumes, Chicago, 1934), 10, see Yellow Fever.

⁶ W. H. Sanders, M. D., *The History, Philosophy, and Fruits of Medical Organization in Alabama* (Read before the Medical Association of the State of Alabama at its annual meeting of 1914), 9.

⁷ Greene County, Alabama, Commissioners' Court Minutes, September 2, 1878, F, 239; Sumter County, Alabama, Commissioners' Court Minutes, September 12, 1878, IV, 247.

⁸ *Southern Argus*, August 1, 1879.

⁹ H. G. McCall, *A Sketch; Historical and Statistical, of the City of Montgomery* (Montgomery, 1885).

Florida.¹⁰ In the fall of 1897 a yellow fever expert pronounced an epidemic in Selma, which caused a general exodus from the city. The pronouncement was a false alarm.¹¹

Other places were not so fortunate. An epidemic struck Greensboro in the late summer and fall of 1897 and caused considerable panic and hardship.¹² In Montgomery the fever struck like a plague. By November 4, 1897, the Montgomery Board of Health reported 121 cases of yellow fever and nine deaths in the city.¹³ The stampede out of the city following the first official announcement of a case on October 18 was "positively bewildering." "Every available vehicle was employed in hauling people to the trains and into the country. Every announcement of fresh cases of new foci intensified the fears of the people," and every known method was used to escape the scourage. "The suburbs were overrun with refugees; and in many cases families had to be contented with the humblest Negro cabins or with sleeping out in the open air A number of families belonging to the aristocratic Perry Street residents" were "camped out and living in a primitive manner."¹⁴

"The homes where the disease raged looked like structures that were suddenly abandoned The blinds were tightly drawn," and "save the frequent visits of the physicians and the yellow flag, no one would know they were occupied." There were only a few people in town. "During the week day very few stores were open for business, and they closed at three or four o'clock." The streets were "deserted after six

¹⁰ Report of the Board of Health of the State of Alabama, 1888 (Montgomery: 1888), 49; *ibid.*, 1883-1884, 244; *Montgomery Daily Advertiser*, September 19, 1882.

¹¹ J. J. Thomas, *Fifty Years on the Rail* (New York, 1912), 105, 106; *Selma Morning Times*, October 27, 1897; Selma Cotton Mill Company, Minutes of the Board of Directors, 1895-1900, December 18, 1897 (MS in Alabama State Department of Archives), 75; C. C. Grayson, *Yesterday, Memories of Selma and Its People* (N.p., n. d.), 63, 64.

¹² W. E. W. Yerby, *History of Greensboro, Alabama, from Its Earliest Settlement* (Montgomery, 1908), 147; Dr. J. J. Castleman, Greensboro, Alabama, to Dr. W. H. Sanders, State Health Officer, Mobile, Alabama, April 3, 1899 (Records of the Alabama State Health Department in files of State Department of Archives.)

¹³ *Alabama Baptist*, November 4, 1897; Annual Message of the Hon. John H. Clisby, Mayor of Montgomery... September 30, 1898. (Montgomery, 1898.)

¹⁴ *The Alabama Knight*, November, 1897. The incidents related are from a diary of J. Pepperman, editor.

o'clock, save by doctors, newspaper reporters and policemen," and

the only beacon lights to be seen . . . were the undertakers and drug stores. Even the bar rooms and restaurants closed early. At night the policemen lit bon-fires on the streets, and the glow cast a melancholy tint over the still and sombre surroundings It was sad to see the removing from the residence of the dead body of a prominent citizen by the undertaker and his negro helper, the only attendant. Not a flower! not a friend! not a member of the family was to be seen! and off was carried the body at a ten-mile gait."¹⁵

Heroic deeds and devotion to duty were mixed with "instances of unreasonable cowardice and brutal selfishness" during the epidemic. "Delicate women and little children were turned away from one house after another in the towns to which they had fled." Guards—

promenaded up and down the platforms of railroad stations and thrust the muzzels of their guns in at car windows, commanding terrified women to lower the windows instantly on pain of death. Physicians vainly attempted to go from a town which was free from fever to a sick man across the line of another county, and met by shotguns and turned back, while the sick man was left to die for want of medical attention. People sickened and died, and no friends or neighbors . . . or ministers "were permitted to visit or help bury them. Yet physicians, ministers, undertakers, and other steadfast souls went about their ministrations in the most courageous manner."¹⁶

On November 19 the governor lifted the quarantine from all portions of the state, and the refugees flocked home in droves.¹⁷ While the epidemic raged, Dr. W. H. Sanders, state

¹⁵ Ibid., November, 1897.

¹⁶ Ibid., November, 1897.

¹⁷ *Montgomery Advertiser*, November 20, 1897; Code of Alabama, 1887, Article 1260-1265, 326.

health officer, was asked for some advice to the public in regard to precautions which should be taken. His advice was:

The laws of hygiene should be strictly observed. Do not eat 'trash'. Everyone that can ought to keep out of the night air, for it is at night that the germs are most aggressive and prevalent. People that live in two or three-story houses should sleep in the top story. Fires help to purify the atmosphere... In regard to disinfectants... formaldehyde gas is by far the best.¹⁸

Returning yellow fever refugees brought with them an epidemic of 387 cases of smallpox, which was less fatal than yellow fever.¹⁹ "A through vaccination was had and fumigation and disinfection was enforced in all known locations of infection... Besides fumigation and cleansing of walls, floors, furniture, such bedding, etc. was destroyed by fire, as seemed advisable."²⁰ About \$18,000 was expended in dealing with smallpox and yellow fever in the fall of 1897.²¹

Cases of yellow fever appeared in Montgomery and Selma in 1905 and 1907 respectively, but after the turn of the century the terrifying epidemics clouded in mystery and ignorance were conquered.²²

Malaria was another affliction. The Alabama Medical Association was aware in 1870 that malaria came from swamps and stagnant pools of water. Dr. J. S. Weatherly wrote of—

a large swamp situated about one mile northeast of the city of Montgomery, which in the opinion of most of our physicians, is productive of the greatest portion of malarial fever that we do have. The posion arising from this swamp seems to float over the city proper, and to locate upon the more elevated portions

¹⁸ Ibid., October 19, 1897.

¹⁹ Annual Mesage... John H. Clisby, Mayor of Montgomery... September 30, 1898, "Report of the City Physician", 85.

²⁰ Ibid., November, 1897.

²¹ Ibid ., p. 12.

²² Montgomery Advertiser, August 10, 1905; Annual Message of the Hon. C. P. McIntyre, Acting Mayor of the City of Montgomery, September 30, 1905 (Montgomery, 1905), 7; Selma Morning Times, October 29, 1907.

of the city and suburbs; sometimes producing a good deal of remittent and intermittent fevers.²³

Doctors generally accepted this explanation of the cause of malaria throughout the seventies and eighties.²⁴ They were yet to learn that the "poison arising from this swamp" was the anophles mosquito bearing germs. Malaria was attributed to a "miasm" which might be blown by the winds from decaying vegetation, ponds of standing water, and such sources.²⁵ Most physicians agreed that three conditions were necessary to produce malaria fevers: heat, moisture, and decaying vegetation. They thought that conditions following the Civil War, such as defective drainage and increase in decaying vegetable matter, had contributed to the increase in malarial fevers.²⁶

Dr. R. D. Webb of Sumter County found the causes of "hemorrhagic and other pernicious malarial fevers . . . in the character of the soils, and in the peculiar meteorological features of the season [fall]."²⁷ Quinine was in use in the seventies, but was not always effective, and there was strong prejudice against it on the part of the public.²⁸ Dr. Seale Harris of Bullock County believed in 1895 that malaria was taken into the system largely through drinking water, and that the water should be boiled and filtered.²⁹

It should be noted here that since 1894 scientists have demonstrated with reasonable certainty that the germs of malaria are drawn by a mosquito with the blood of a sick person, that they multiply in the mosquito's body, and after an interval are injected into the blood of a second person through the sting of the insect. Physicians believe that a person can be infected with malaria in no other way.³⁰ Yet even after the discovery

²³ Transactions of the Medical Association of Alabama, 1870 (Montgomery, 1870), 416.

²⁴ Report of the Board of Health of Alabama, 1888 (Montgomery, 1888), 104.

²⁵ Dr. C. F. Fahs, Dallas County, in Transactions of the Medical Association of Alabama, 1870, 263-264.

²⁶ Ibid., 1870, 167; *ibid.*, 1871, 199.

²⁷ Report of the Board of the Health of Alabama, 1883-1884, 252.

²⁸ Transactions of the Medical Association of Alabama, 1871, 201.

²⁹ Report of the Board of Health of Alabama, 1895 (Montgomery, 1895), 59.

³⁰ New Standard Encyclopedia, VI, see Malaria.

of the cause of malaria, it lingered on as a serious factor in the health of the Black Belt. Eighty-six deaths from it were reported for the ten Black Belt counties in 1913.³¹

Smallpox was a constant menace, occurring from time to time in epidemic form. It was a particular concern of Dr. W. H. Sanders, the State Health Officers, in 1898, a year when epidemics raged in Birmingham,³² Montgomery,³³ Greene County,³⁴ and elsewhere in the state. Dr. Sanders, with the backing of the State Medical Association, tried to steer through the legislature of 1898 a compulsory vaccination law, but it failed to pass.³⁵ An amazing amount of indifference on the part of county officials and others was manifested as late as 1904.³⁶ In 1910 Dr. Sanders was still pleading with the county health officers and medical societies to be less careless in taking precautions against the spread of the disease.³⁷

Typhoid fever killed eighty-one people in the Black Belt counties in 1913. Sumter County had the highest death rate, of forty-two per 100,000 population, and Wilcox the lowest with six. Four counties outside the Black Belt were higher than Sumter in this respect.³⁸

The Black Belt, like many other parts of the South, was afflicted with hook-worm. It was found that about 1896 "no less than two million people of sound English ancestry between

³¹ Report of the Board of Health of Alabama, 1914 (Montgomery, 1914), 57.

³² Transactions of the Medical Association of Alabama, 1899 (Montgomery, 1899), 288.

³³ Annual Message . . . John H. Clisby, Retiring Mayor of Montgomery . . . 1899, 104.

³⁴ Dr. W. H. Sander's Diary, 1897-1900 (W. H. Sanders Collection, Alabama State Department of Archives), entries for December 23 and December 27, 1898.

³⁵ Ibid., entries for November 28, December 5, and December 23, 1898; Transactions of the Medical Association of Alabama, 1899, 28-30.

³⁶ Contagious cases were isolated in special houses called "pest houses". Dr. D. S. Brockway, Sumter County Health Officer, to the State Health Officer (Alabama State Department of Health, State Correspondence, Drawer I, Folder 50, State Department of Archives).

³⁷ Dr. W. H. Sanders, Small-pox and How to Exterminate It! (Montgomery, 1910, in W. H. Sanders Collection, State Department of Archives).

³⁸ Report of the Board of Health of Alabama, 1914, 32.

the Potomac and the Gulf of Mexico" had this disease. "Shiftless, lazy 'crackers', 'poor whites', 'poor white trash', 'clay eaters' were the popular terms used to describe hookworm victims.

'Bloodless, anaemic,' said the doctors, 'their very blood had been sucked out of them, let out of them by hook-worms.' Generations of these southern whites have craved dirt, have grown feeble, have had spasms, have bought carloads of patent medicines, and have gone through the world 'shiftless' and 'lazy' without knowing what was the matter with them.³⁹

A convention for the prevention of hook-worms was called in Atlanta in 1910, and the Rockefeller Foundation made a grant for fighting the disease. A Southern Health Conference was organized out of the convention.⁴⁰ Dr. Charles W. Stiles, Washington, D. C., one of the leaders in the campaign against hook-worm, summed up the campaign in these words:

It is ten per cent epsom salts and thymol, and ninety per cent of sanitary privy. It seems to me that the sooner we realize the privy is not a private matter, but must be taken out of the hands of the family and licensed, and that the city must take care of it, the more progress we will make in our fight against this disease.⁴¹

Dr. H. G. Perry of Greensboro, Alabama, reported in 1910 that out of one hundred cases he found eighty-five per cent with "a positive history of ground-itch." He thought, after investigations, there was a ten per cent infection for the whole state, the northern counties being less infected than the southern.⁴² A study to determine the prevalence of hook-worm infestation among the "better classes" was made at "one of the larger institutions of learning in the State." "The persons examined were young adult males, of an average of 22.3 years, raised in

³⁹ New Standard Encyclopedia, V, see Hook-Worm.

⁴⁰ Transactions of the Medical Association of Alabama, 1910 (Montgomery, 1911), 567.

⁴¹ Ibid., 579.

⁴² Ibid., 578.

good surroundings, well educated, and representing the best classes of society. The cases noted were of a mild type and showed but few symptoms of infection." Seven Black Belt counties were represented in the study. Out of fifteen cases examined, seven tests showed positive results, eight showed negative.⁴³ All Alabama counties were infected, the southern counties more heavily than the northern.⁴⁴

By 1914 ninety-two hook-worm dispensaries were distributed throughout the Black Belt, located in all the counties except Lowndes and Montgomery. For the four years ending December 31, 1914, the Rockefeller Sanitary Commission had appropriated for the hook-worm work in Alabama a total of \$55,918.96. The State Board of Health had expended \$4,500, and fifty-seven counties had appropriated \$7,863.25. The total amount from all sources for the four years was \$68,332.21. The free clinics examined 52,742 persons and treated 43,519.⁴⁵ For the Black Belt \$1,175 was appropriated, 4,169 persons were examined, and 3,776 persons were treated.⁴⁶ The battle, however, was far from won, and hook-worm lingered on to take its toll, especially in the rural areas.

Influenza was known in the earlier part of the period as "La Grippe," shortened to "grip." Sumter County had a "terrible epidemic" of it in 1890-1891. Probably the most famous epidemic of influenza was that which came during World War I.⁴⁷

Tuberculosis took heavy tolls, especially among the Negroes. One-fifth of all the deaths in Union Springs in 1895 were from consumption. There was a larger death rate among the Negroes from consumption alone than the total white death rate.⁴⁸

⁴³ G. J. Winthrop, M.D. and H. P. Cole, M.D., "Geographical Distribution of Hookworm Disease in Alabama," *ibid.*, 558.

⁴⁴ Report of the Board of Health of Alabama, 1914, 58.

⁴⁵ *Ibid.*, 78-80.

⁴⁶ *Ibid.*, 79.

⁴⁷ R. D. Spratt, "Medical Men of Sumter County, Alabama" (MS in possession of the author, Livingston, Alabama), 18.

⁴⁸ "Report of Seale Harris, M. D., County Health Officer of Bullock County," in Report of the Board of Health of Alabama, 1895, 59.

Pellagra, diphtheria, venereal diseases, pneumonia, spinal meningitis, and many other diseases claimed their toll in lives and health.⁴⁹ By far the largest proportion of diseases and ill health was among the Negroes.

The high incidence of disease from mysterious and poorly understood sources undoubtedly had its effect upon the morale and the general attitude of the people. The fatalistic and pessimistic attitudes of many of the people of the late nineteenth century, especially those living in rural districts, may be partly attributable to this cause. It is difficult for people living at the mid-twentieth century to realize what a great burden of physical and mental misery has been lifted from their lives.

⁴⁹ Report of the Board of Health of Alabama, 1914, 36, 48, 50.

INTERESTING AUTOGRAPHS

The two accompanying cuts, being photographic copies of documents in the hands of Mr Frank Earle of Montpelier, are here set out with the main purpose of showing five historic autographs. In one James Earle, the land claimer, made certain depositions before David Bryde Mitchell, United States Agent for Indian Affairs at Ft. Mitchell, and his statement is attested by George Stiggins and Josiah Fletcher. On the basis of this deposition, his claim was confirmed by David B. Mitchell and attested by William S. Mitchell, a relative of the Indian Agent. Mr. Earle, several times referred to as an Indian countryman, was living on lands now owned by his great-grandson prior to December 1818 and there are numerous papers in the hands of the family which bear historic reference to this early occupancy.

George Stiggins, was a direct descendant of those Natchez Indians who were pushed east by the French in 1735 and settled in Talladega County between Tallaseehatchee and Talladega Creeks. Many of their descendants settled in the Tensaw country. Josiah Fletcher, a son-in-law of James Bailey, is written into a number of early territorial papers. Fletcher's wife was from the Tallapoosa River area and was, according to Col. Benjamin Hawkins, "educated" at Pierce's School on Tensaw Lake. The George Stiggins "Forty," not far from Shorter, in Macon County, adjoined James Bailey's property on the Tallapoosa. Mr. Stiggins is buried at Cubahatchee Baptist Church.

James Earle, a white man and an Indian Country man
 now under the Act of Congress of March 3rd 1817, 240:
 Jones of Lincoln Co. N.H. 4

Fraction 32 in Township 4 Range 3 on the East
 side of the River

I James Earle the above named Claimant do solemnly swear
 that I occupied the above described Fraction prior to
 the War and have occupied it ever since, and that
 I was actively friendly to the United States during
 said War.

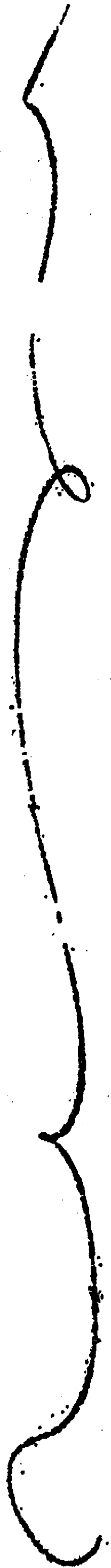
Sworn to before me James Earle
 this 10th Decem^r 1818

Wm Mitchell
 George Higgins and Josiah Fletcher being duly sworn
 before and say that we know James Earle to have
 settled and occupied the above described land prior
 to the Creek War above mentioned and since then
 that he was likewise actively friendly to the United
 States during the said war

Sworn to before me the
 10th Decem^r 1818
 Wm Mitchell att^r

George Higgins
 Josiah Fletcher

James Earle formerly of the Creek Nation, now a resident of the Alabama Territory —
having claimed the following tracts of land in the Alabama Territory, under the provisions of the act of Congress of the 2d of March, 1817, viz.
Fraction 82 in Township 4 Range 3 East Side of the
Alabama River —



And the same being conveyed to him by the Secretary of the Treasury, by and with the approbation of the President of the United States, as ex-
presses by his decision of the 1st of August, 1819; and instructions having been transmitted to me, in consequence of the said decision, to grant unto the said
James Earle — a certificate of the foregoing facts—I do, therefore, hereby certify, that the claim
of the said James Earle — to the before described tracts of land, has been confirmed unto him
by the Secretary of the Treasury, as aforesaid, under the provisions of the before mentioned act of Congress of the 2d of March 1817, and that
entitled to the possession and enjoyment of the same.

Given under my hand at the Creek Agency, this Tenth day of November 1819.
D. M. Mitchell
Agent for the U.S.

Per D. M. Mitchell
Agent for the U.S.

THE MUSTER AT SAWONOGI

By Peter A. Brannon

A rare sketch drawn by S. Swan, shows the Montgomery True Blues at Camp Owen, near Old Augusta (Alabama) May 13, 1835. The picture was presented to the Alabama Department of Archives and History in 1922, by the family of E. M. Hastings, an early officer in the Blues, and there is a notation on the sketch that it was presented to Lieutenant Hastings.

This illustration shows the True Blues drawn up in line west of the Indian mound at the old Shawnee site of Sawonogi, which locality was later, in 1817, the earliest white settlement site in Montgomery County. The military company appears to have just left the cars, and by the way these cars are marked "Montgomery and West Point Railroad", and the locomotive and coaches are in near view in the perspective of the picture. Smoke emerges from the smoke stack of the engine. The commanding officer stands with the left sergeant and a color guard stands in mid-line. The company presents a martial appearance. Erected in the top of the mound, which is covered with large trees is a garrison size flag.

Records show David Owen as Captain of the True Blues, just before the outbreak of the war, and E. M. Hastings as 1st Lieutenant. The Picture is titled "Camp Owen" which leads to the assumption that the camp site was named for the commanding officer, though it might be that this military encampment bore the name of the father of the Captain, Colonel Lewis Owen, who was a leading citizen of Montgomery at the time.

Mr. Swan, the artist, was a photographer here in Montgomery in 1849, and he it was who made the original of the burning of the capitol, December 14, 1849, from which illustration, Sarony and Major made a lithograph. This lithograph is perhaps the most outstanding illustration in Montgomery history. Copies of the lithographs are in the Department's collection.

The drawing by Mr. Swan of this military encampment actually overshadows the Sarony lithograph, for this is the original drawing and not a copy of a sketch. Incidentally, Mr.

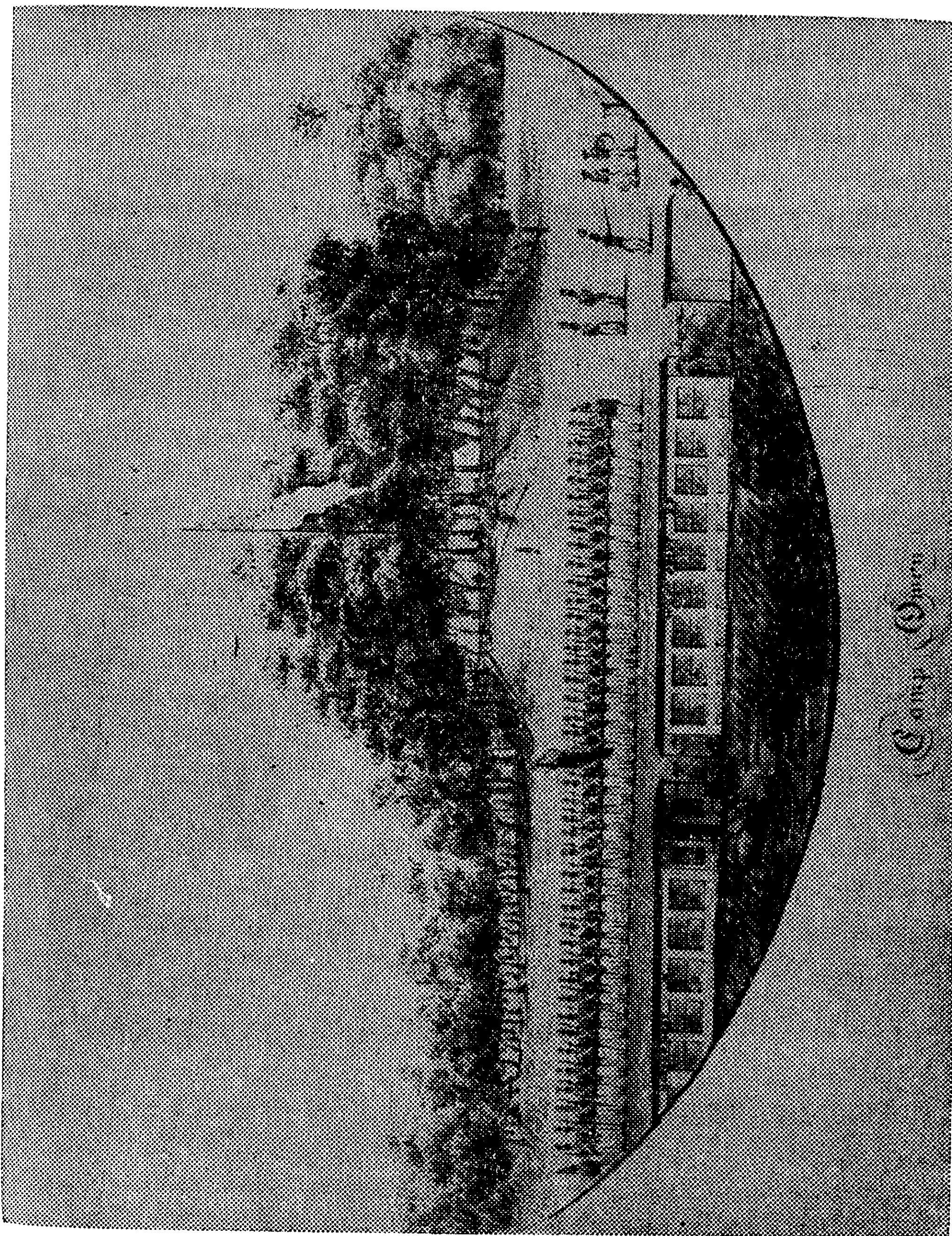
Swan and Mr. Lewis Owen were warm friends and Mr. Owen distributed several of the items published by Swan in later years.

Montgomerians, as well as Alabamians, recognize Mr. Swan as the printer who issued lottery tickets in the early fifties and was otherwise prominent in the printing and illustrating business. He built the home on the corner of South Hull and Adams Avenue and was a large property owner here.

The Montgomery True Blues Sketch is historically interesting as it is a current sketching of the uniform of the company, blue jackets with white trousers.

The Indian mound as sketched in 1853, is strikingly like it was until after the turn of the century and there is no difficulty whatever in recognizing this thrown up embankment when one sees it today, more than one hundred years since the picture was drawn.

Another interesting phase of the picture is that it shows the character of architecture of the Montgomery and West Point passenger cars of that period.



THE EARLY HISTORY OF MUSIC CLUBS
OF TROY, ALABAMA

BY
OLIVIA RAINER

Submitted to complete the
requirements for Music 421
for

Dr. Thomas J. Stone
Head, Department of Music

WESTERN KENTUCKY STATE COLLEGE

May, 1961

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THE SETTING UP TO 1905

The younger generation of Troy in 1890 was emerging with the stories of the Civil War falling lightly on their ears except in instances where they were reminded by activities of the United Daughters of the Confederacy, and by the stories which were the familiar stock in trade of some grandparent or uncle. Young ladies were expected to have an education in the many types of high schools, select schools, academies, and seminaries found in Troy prior to 1887. With the consolidation of these schools there emerged the Troy Male High School and the Troy Female Seminary. From these two institutions the Troy Normal School was established in 1887.¹

The college offered instruction in private lessons in piano, voice, art (including china painting), and elocution.² Instructors were most often paid on a fee basis, or with but a token salary.³ Recitals and art displays on various age levels were usual. Ample files of programs present an excellent picture of the cultural advancement of the young ladies in this remote corner of Alabama. The classical composers are represented in the early 1900's but there is a predominance of the more obscure composers. It would be difficult to draw a line between the concerts presented by the college and the concerts by Trojans since college and city activities were so closely

¹ Edward M. Shackelford, *First Fifty Years of Troy State Teachers College, Troy, Ala., 1887-1937* (Montgomery, Ala., Paragon Press, 1937), pp. 2-25.

² MS "Letter Book" of Troy Normal College, Troy, Alabama, July 1, 1899-March 10, 1902. A brochure dated November 25, 1901, and filed in the "Letter Book" lists the Department of Music Personnel as follows: Miss Mary Murphree, Director of Instrumental Music; Mrs. O. Worthy, Assistant Teacher, Instrumental Music; Miss Willette McMillan, Director of the Art Department; Miss Collier Hollan, Director of Elocution and Physical Culture; Miss Effie Woods, Director of the Department of Voice. This brochure is filed in the "Letter Book" omp. 456.

³ From the "Letter Book" of Troy State Normal College, 1903-1910, p. 131, we find an interesting summary of teaching loads. Teacher of Drawing, fees and salary, \$100; Teacher of Elocution, fees and salary, \$100; Teacher of Vocal Music, fees and salary, \$100; two music teachers received no salary. On page 167 of the same "Letter Book" we find a summary of the enrollment for the college in 1903 with 205 being the total. Out of these, 86 were enrolled in instrumental Music, 22 in Voice Culture, 17 in Art, and 10 in Elocution, indicating that 135 students out of the 205 were enrolled in private classes. Some students undoubtedly were taking both piano and voice but there are no statistics on this duplication.

allied. This is understandable because townspeople studied at the college and frequently were performers in college recitals. Compositions used on these recitals—whether they were at a musical or at the concert hall—featured works from Behr, Engleman, Bohm, Geibel, and Chaminade. Later on they included Chopin, Liszt, and Schubert. Standards of recitals for both the Model School⁴ and the college show considerable improvement in the musical literature used by 1905.⁵

The meeting places in Troy—a town of approximately three thousands people—present a picture of the early entertainments and social affairs of this era. Some of the old halls were Murphree Hall, Michenor's Hall, the Troy Opera House, and Folmar Theatre [Opera House].⁶ The Folmar Theatre collapsed, April 21, 1891, during a rehearsal of the Music Class of Professor T. C. Calloway, a Troy Composer and teacher. This tragedy, with its loss of two lives and with many injured, is still vividly remembered in Troy. The newspaper account of the event is typical of the journalistic reporting found in the newspapers of the time.⁷ The theatre arose from its rubble to function for many years for home talent shows, road shows, and lecturers.

Folmar's Theatre played an important role in the social and cultural life of Troy. Theatres had always been a part of the life of the town. Under the leadership of Frank Folmar, a dashing young man recently returned from Vanderbilt University, the theatre took on the significance usually found only in larger cities. "Opera" was a selling point and not one to be "hushed" for fear of frightening away an audience. The

⁴ Now called the Laboratory School.

⁵ "Letter Book" of Troy Normal College, 1903-1910, p. 282. The commencement recital of this date lists these composers along with some of the lesser known composers: Wagnew, Liszt, Rubenstein, Gottschalk, Leschitezky, Raff, and Wollenhaupt.

⁶ Interview with Mrs. Key Murphree, March 5, 1961. Murphree Hall was on the second floor of the present location of Woods Furniture Company. Minchenor Hall was back of the present location of Byrd Drug Company. Troy Opera House was on the second floor of the building now housing Rosenberg's Department Store. It was used by the Normal School for the Commencement of 1890 when Mrs. Murphree was graduated from the Normal School. The Folmar Theatre—both the old and new buildings were located where the Plaza Hotel now stands.

⁷ Troy Enquirer (filed with a bound volume of the Troy Messenger). May 2, 1891, p. 5. The account of the tragedy is reproduced by means of Verifax and is included in Appendix I.

term "opera" was used rather freely, for many titles are not found in standard lists of operas—but it helped to sell! Road companies played in Troy for a week with a change of program each night. The famous Klaw and Erlanger Agency of New York booked shows here. There were top flight artists and lesser ones. One could attend melodrama or opera. One could hear a good home talent concert or a professional minstrel company. Orators such as Richmond Pierson Hobson and John Temple Graves, Sr., or a local orator such as Dr. E. M. Wright, might speak for two hours.

Tent shows were also a popular form of diversion. Ringling Brothers Circus played in Troy in 1904-1905, with "a cast of 1280 people, half a thousand trapped horses, and 40 elephants."⁸ This seems to point to Troy as a center of activity for even today circuses play only in large cities of strategic geographical location in order to draw a crowd.

Bands always contributed to the culture of Troy. They were either "fiedlin" bands or concert brass bands. One might have heard them at a dance, a concert, a political meeting, or at the drilling of a rifle company. A Band Tournament that drew some four thousand visitors was held in Troy on July 4, 1891. Ten brass bands (one hundred and sixty-two instruments) from the area competed. They also played together as they marched from the trains to the square.⁹ In contrast to the present day, there were always music stores on the square in Troy during this period. This is an indication of the intense interest in instrumental performances at that time and a comparative lack of it today.

The number of "Lyceums" assumed epidemic proportions by 1905. They were given at the Troy Normal School, the City School, and at the theatre. The auditoriums at the Normal and City Schools rang with oratory! The College program, however, was more balanced, with musical attractions such as the Mozart Symphony Club of New York¹⁰ and artists from Atlanta.¹¹

⁸ Troy Messenger, November 8, 1905, p. 4.

⁹ Troy Enquirer, July 4, 1891, p. 5.

¹⁰ Troy Messenger, December 11, 1901, p. 3.

¹¹ Troy Messenger, January 16, 1901, p. 5.

The advent of the "open air" and "veranda" concert is noted in 1902 for the first time. The lawn was the setting with a piano rolled out on the veranda, which served as a stage. This type of event occurred at some of the more impressive homes of the day. Programs featured local and imported talent. Admission was charged in order to raise funds for organizations such as the Ladies Aid Society, the Ladies Civic Improvement Club, and the Epworth League of the Methodist Church.¹²

Newspaper reporting of this era provides a guide to the reader, and makes present day journalism seem dull and unimaginative. Many details are covered and reviews on the musical programs are carried. The names of all persons on the programs and the numbers performed, how much applause was received, size of audience, amount of money collected (in the event it was for fund-raising purposes)—all are fully preserved for the present and the future in the newspapers. The newspaper layout seems to have had neither rhyme nor reason but the news is there! One may find it in large headlines or buried under an ear-tickling alliterative column such as "News Tersely Told," "Items Briefly Sketched," "Local Laconics," or "Pleasing Pointers Plucked for Perusal."

There were many facets in Troy's cultural background. Each one represents a delightful study of the growth of the town. The zeal and activity of this town in the Deep South where "Cotton was King" is a revealing study. The year 1905 seems to have produced such a momentum of activity in the arts that it is only a natural consequence that the young women of Troy should form a club of far-reaching influence and longevity, The Troy Music Study Club. This paper attempts to trace their efforts through the formative years of 1905-1920. The history and activities of another musical group, the MacDowell Club, will be included also. This club existed for a very few years, yet left considerable imprint upon the community. Its relationship to the Music Study Club was quite unique.

¹² Troy Messenger, June 18, 1902, p. 4; August 2, 1905, p. 2; and August 23, 1905, p. 7, indicated that concerts of this type were held at the home of Mrs. J. S. Carroll, Mrs. J. T. Brantley, and Mrs. T. E. Murphree, respectively.

CHAPTER II

TROY MUSIC STUDY CLUB 1905-1920

ORGANIZATION

The Music Study Club was the second study club of its kind to be organized in Troy. It was preceded some eight years by the Nineteenth Century Club, organized in 1897 and federated in 1898. On a Saturday afternoon, October 21, 1905, fifteen women met at the home of Mrs. J. S. Carroll on North Three Notch Street to organize a group which has contributed continuously to the cultural life of Troy since this date.¹ The list of fifteen charter members has been completed from the names appearing on the programs of 1905-1906² and is as follows:

Mrs. J. S. Carroll	Mrs. J. P. Selman
Mrs. W. L. Davids	Mrs. C. S. Tutwiler
Miss Lista Geil	Miss Lutie Wilkerson
Miss Kate Henderson	Miss Mattie Wilkerson
Mrs. Key Murphree ³	Miss Sara Williams
Miss Nellie Murphree	Mrs. F. S. Wood
Mrs. T. E. Murphree	Miss Julia Wood ⁴
Mrs. O. Worthy	

The first officers of the club were: Mrs. J. P. Selman, president; Mrs. O. Worthy, vice-president; Miss Kate Henderson, recording secretary; Mrs. C. S. Tutwiler, corresponding secretary and treasurer. Mrs. Selman was a teacher of piano,

¹ Troy Messenger, October 25, 1905, p. 8.

² In a short paper on the Music Club prepared by Mrs. Key Murphree for the Golden Anniversary in November, 1955, Mrs. Murphree lists the members, officers, and program committee of the first year. There is an error here for her information concerns the second year of the club's existence, since her information is contained in the yearbook of 1906-1907. The paper, however, is nonetheless very valuable because of its personal reminiscences. The paper is filed with the Music Study Club Scrapbook which shall hereafter be referred to as Scrapbook: Music Study Club.

³ Mrs. Key Murphree is living and is active in the club today.

⁴ Miss Julia Wood, now Mrs. C. B. Goldthwaite, is living in Troy but is no longer a member of the Music Club.

a pianist, and the orgainst at the First Baptist Church. She was a pupil of William Sherwood, Chautauqua, New York; Kurt Mueller, Atlanta, Georgia; and Dwight Anderson, of the Andalusia School of Music. Mrs. Selman accompanied at Mont-eagle, Tennessee Assembly and for Edna Thomas, mezzo-soprano, who gave concerts in this area in 1922-1923.⁵ Mrs. Selman died in February of 1949.

In the meeting of the club on February 12, 1949 Mrs. Lane Enzor suggested that a scholarship fund be established in Mrs. Selman's honor. The club voted to name two scholarships in her name in the amount of one hundred dollars each. This is recorded in the Minutes of the Music Study Club, 1941-1953. The gift scholarship was decreased, according to the files of the Music Department at Troy State College, to two fifty-dollar awards in May, 1957. The catalog of Troy State College lists this as the "Mary M. Selman Scholarship."

The name of the organization has remained unchanged since that first meeting in October, 1905: The Music Study Club. The purpose of the club has also remained unchanged:

The object of this Club shall be the study of music in all its phases, and the cultivation of a high musical standard.⁶

The group met on alternate Saturdays. This bi-monthly meeting continued until the year 1936 when meetings were held on monthly dates, a practice which continues to the present time.⁷ Meetings were held in the homes at first, but plans for a hall or a meeting place outside the homes were evident from the club records. For a few months in 1907-1908 the meetings were held in the Elks Hall in the Carroll Building. In 1918 the Gladstone Society of Troy State Normal offered their rooms

⁵ Margaret F. Thomas (compiler), *Musical Alabama*, issued by the Alabama Federation of Music Clubs (Montgomery, Alabama, Paragon Press, 1925), p. 115.

⁶ *Yearbook: Music Study Club, 1906-1907*. The motto of the Club is a quote from Haydn, "Work for great things, except great things, and great things will come to pass." The colors are green and white.

⁷ *Scrapbook: Music Study Club*.

for the meetings. In September of 1920 the club met in the Knights of Pythias Hall.⁸

The number of fifteen charter members swelled to twenty-four members in 1906-1907. New names on the roster are listed as follows: Miss Annie Chaffin (Mrs. Homer Stallings), *Miss Catherine Gardner, *Miss Leo Henderson (Mrs. J. P. Wood), *Miss Evelyn Knox (Mrs. Herbert McLeod), Mrs. James Murphree, *Miss Olive Wiley, *Miss Hazel Wiley (Mrs. Livingston), *Mrs. J. H. Wilkerson, Miss Mary Williams (Mrs. Walter Parks), Miss Annie Mell Wood (Mrs. Casper Boyd), *Miss Kate Murphree (Mrs. Charles Copeland).⁹

Honorary and associate memberships are found in the constitution of the Yearbook of 1919-1920 for the first time.¹⁰ This innovation proved to be a financial bonanza for the club as there were one hundred and one associate members listed, each of whom paid a dollar a year to be non-performing members.¹¹ This fact no doubt necessitated that meetings be held in a hall, —hence the use of the Knights of Pythias Hall.

The roster of members by 1924 included some forty-five names.¹² Some of these were honorary since the list of active members rarely exceeded thirty. Thus it may be noted that this small organization put down a good root system in 1905, and maintained a steady growth in active club membership.

⁸ This hall is still in existence but is not in use. It is on the second floor above the present location of the Troy Drug Company (once the home of the old Princess Theatre). Meetings were later held in the Community Club House. Then the club meetings were moved to the Faculty Lounge of Troy State College, and are held today in the Faculty Lounge of the Student Center at the College.

⁹ Those members marked with an asterisk are still living though not active in Music Club work.

¹⁰ Scrapbook and Yearbook: Music Study Club, 1919-1920.

¹¹ Ibid.

¹² See Appendix II, also Thomas, *op. cit.*, p. 142.

ROLE OF TROY MUSIC STUDY CLUB IN THE STATE FEDERATION

By 1915 the many other active music clubs in Alabama created a need for an organized state-wide group. Under the leadership of Mrs. Victor Hanson of Birmingham a permanent organization of music clubs came into existence. Representatives from ten clubs, including the Troy Clubs, met in Birmingham on May 18, 1916 to write a constitution and to elect a slate of officers. Mrs. Hanson was elected the first state president and retained that office for one year. In 1917 the first Music Club Convention was held in Birmingham.

The second convention was held in Gadsden on April 23-25, 1918. It was at this time that the clubs became officially known as the Alabama Federation of Music Clubs. By this time the organizations had announced the winning of the musical setting of the poem "Alabama" (Julia Tutwiler) by Edna Gockel—Gussen. Thus Alabama's state song was born (It was adopted officially by the state in 1931). The first scholarship had been established and Mrs. Oscar Hundley of Birmingham had been chosen as the second state president.¹³ Mrs. S. A. Williams and Mrs. John Wilkerson were delegates from the Troy Club. Mrs. Hubert Brown and Mary Wood were alternates.¹⁴ The third state convention of the Alabama Federation of Music Clubs was held in Troy, May 6-7, 1919 with the Troy Music Study Club and the MacDowell Club [See Chapter III] as hostesses. Thirty delegates, representing eleven clubs, were present. It was at the meeting in Troy that:

1. The Federation voted to wage an active campaign to make music a major study in the high schools of the state.¹⁵
2. Student contests were begun.

¹³ Thomas, *op. cit.*, pp. 7, 12.

¹⁴ Minutes: Music Study Club, 1918.

¹⁵ This work of the Federation was culminated when the position of state supervisor (or consultant) of (or in) music education was created in 1942. Alton O'Steen was the first appointee, 1942-1944; Paul W. Mathews was second, 1944-1950; and Emerson Van Cleave was appointed in 1950.

3. A State Chorus was planned for the next convention.
4. A prize was offered by the president for a song composed by any of the members.¹⁶

Full accounts of the State Convention are preserved in the Scrapbook of the Music Study Club; business news, concerts, teas, and so forth appeared in write-ups in the Birmingham News which was the official newspaper for the circulation of Federation news; and in the program booklet. The convention convened at the Elks Hall on the third floor of the Folmar Building. Rooms for banquets and luncheons were set up on the same floor through courtesy of the Woodmen and Odd Fellows who occupied the same floor.¹⁷

During the months preceding the convention the minutes of the Club reveal the rapid succession of activities over and above the regular meetings. These ladies were vigorous! There had been a World War I and an Armistice, so on February 22, 1919 the Music Study Club gave a Liberty Tea.¹⁸ The proceeds from this concert went for the support of a French war orphan¹⁹ and for the purchase of a Liberty Bond (\$12.50). Appropriately, this program featured American composers. In March the University of Alabama Glee Club was presented in concert with the usual reception and dance following. The Glee Club was under the direction of Tom Garner (Uncle Tom to many alumni). The proceeds from this concert also went to the support of the war orphan. Plans were made and completed to present Miss Clementine Marlin in her graduate recital. She was from Dawson, Georgia and a pupil of Sir Edward Baxter Perry. Lastly there was a State Federation of Music Culbs to entertain. Quick money was the order of the day, regardless of culture! So, just four days

¹⁶ Thomas, *op. cit.*, p. 13.

¹⁷ This building now stands at Elm and Market Streets except for the third floor which was not built back after a damaging fire.

¹⁸ See Appendix III.

¹⁹ Mireille Deis, of 46 Rue Nationale, Petit Querilly, Seine Inferieues, was the war orphan. A letter from the orphan to the club is found in the Minutes of the club for March, 1919. See Appendix III.

prior to the Senate Convention, a Victory Minstrel²⁰ was given on May 2 at City School Auditorium. Mrs. Fred Jernigan and Mrs. Bailey Talbot were in charge. On this printed program many laymen made their debut. One sees a consciousness of our World War I conquest for both the tea and the concert used "Victory" or "Liberty" as the key word in the title.

By the time the fourth annual convention was held in Dothan, April 4-7, 1920, the number of delegates had grown; the first state chorus was born; a Junior Department had been created with twelve junior clubs; and Mrs. Key Murphree of the Troy Club was elected as the third president of the State Federation.²¹ In her message to the Federation Clubs one point that she stressed was that at least one program a year should be devoted to American compositions and one program exclusively to Alabama compositions. Mrs. Murphree still retains this interest in Alabama composers, and always presents a very fine paper on the native composers at the club meetings devoted to Alabama Music.

At the Convention in Mobile over which Mrs. Murphree presided, twenty-three federated clubs and fifty delegates were present. It may be noted that the work of the State Federation had grown to a larger and more stable group under the leadership of Mrs. Murphree of the Troy Club. As president of the Federation she gave twenty-five dollars for a prize to be awarded to the composer of the best original song. This prize was won by Mrs. W. S. Wilson of Dothan for her song, "Hi Mr. Sunshine!" Mrs. Murphree's work is summarized thus:

Mrs. Key Murphree

Troy

President A.F.M.C., 1920-1921

Third President at Dothan Convention

"After a year of splendid results as executive, she presided over the Mobile convntion with such poise, tact, and ability that it was a great disappointment to all when on account of urgent home responsibilities she declined the unanimous re-nomination." She prepared a most compre-

²⁰ See Appendix III.

²¹ Mrs. Murphree is the only member with an unbroken membership from the beginning of the Club to the present.

hensive history of the Federation which has been preserved as one of its most valuable records.

Mrs. Murphree studied voice and piano at Judson College from which she graduated in piano. She also studied in the East.

"She is a woman of pleasing personality, a brilliant mind, and a handsome appearance."

Quotation given from Wordsworth:

"A perfect woman, nobly planned,
To warn [sic], to comfort, and command."²²

It is self-evident that the Troy Music Study Club was very active in the State Federation. In addition to Mrs. Murphree as State Federation President and Board Member, other contributions by various members of the club to the work of the Federation include:

Mrs. W. L. Davids

Vice President, 1919-1920

Chairman of Printing, 1920

Chairman of Junior Clubs, 1920²³

Chairman of Education and Scholarships, 1924²⁴

Mrs. Fred Jernigan²⁵

State Editor, Birmingham News, 1919-1920

Chairman, American Music, 1918-1919

Corresponding Secretary, 1920-1921

Mrs. W. R. Lancaster²⁶

Recording Secretary 1919-1920; 1920-1921

President of Fifth District, 1924

Mrs. J. S. Helton

Club Extension, 1919-1920

Local Club President for Troy Convention, 1919

²² Thomas, *op. cit.*, p. 17.

²³ Scrapbook: Music Study Club, a clipping from the Birmingham News, May 16, 1920.

²⁴ Thomas, *op. cit.*, p. 142.

²⁵ Scrapbook: Music Study Club.

²⁶ Member of Troy Club 1910 until her marriage. Formerly Eddie Lee Shackelford. Later a State President, year of 1932-1934, and now a member of the Music Study Club and on the personnel staff of Troy State College.

OTHER ACTIVITIES

The civic contributions of this club ranged from the concert hall to blackface minstrels and auto shows, from the study of grand opera to fiddlers' contests, from the purchase of a grand piano to the purchase of draperies. A close relationship existed between the other clubs in town and members gave freely of their time and talent.

On October 9, 1907 a reception was given by them for the delegates of the Alabama Federation of Women's Clubs which convened in Troy.²⁷ The Elks Club called for their assistance in raising money for the building fund. A special concert of "Italian Music" was given by club members in May, 1907.²⁸ This program consisted of the works of Verdi, Donizetti, and Rossini. The full range of Italian opera was covered—apparently in translation. Printers, even then, had difficulty with spelling (Listz for Liszt). Admission was fifty cents. The male citizenry gave the ladies a big chance to show their erudition—and arose to the occasion. Contributions were always made on "THE BIG DAY" for all clubs of Troy—Reciprocity Day. This was the one day when all efforts towards culture converged in a mass meeting of all Troy Study Clubs. The Music Club contributed the musical portion of the program.

The Troy Normal School was a cultural center for Troy and vicinity. Its music faculty was always on the membership list of the Club. Through common objectives the work of the school and that of cultural leaders came together. Members of the Club gave a concert (presented for two nights) to raise money for the purchase of pictures for the College.²⁹ The Music Club bought and presented to the Library of the Normal School a set of Groves Musical Dictionary for use by the College and "for use in their research on club programs."³⁰ In 1911 the Normal School started its "Rural School Lyceums," a series of entertainments organized and financed by the College. The programs consisted of lectures, readings, music, and discussions. There might be a lecture on topics such as "Manual Training,"

²⁷ Yearbook: Music Study Club, 1907-1908. Home of Mrs. F. S. Woods, College Street, Troy.

²⁸ See Appendix III.

²⁹ Troy Messenger, March 24, 1909, p. 4.

³⁰ Scrapbook: Music Study Club. From a clipping.

"Magic and Mirth," or Oral Hygiene" by a local dentist.³¹ Again, only music might be featured. These programs continued for about four years. They were given up when it became burdensome to the faculty. "It had a wonderful influence in developing community spirit and in popularizing the College."³² The Music Club cooperated in presenting some of these lyceums or recitals at various places.³³ The Ku Klux Klan filed in during one concert to see that the activities were "acceptable," lamps on the wheezing organ shook, and pianos with sticking keys were out of tune—but the shows went on!³⁴ Programs were given for the College assemblies. The Gladstone Society—one of the two literary societies at the Normal—offered their meeting place to the Music Club due to an expanding membership which could not be accommodated in the homes. The room was used for the first time in the fall of 1918.³⁵ In the early years the Music Club had given short musical concerts prior to the program of these literary societies so their bread "cast upon the waters" had returned at a crucial time.

It is noted in the Yearbooks which are available that many Easter and Christmas programs were given and designated as church recitals or concerts. These were a cooperative effort of the choirs of the churches under the leadership of the Music Club as sacred music was presented to the public.

When "moving picture shows" made their advent in Troy many types of salesmanship were used to attract customers. Concerts were frequently given at the beginning of and between the "one and two reelers." Compositions appearing on these early musicals ranged from classical to the hit tunes of New York shows. Dishes and other enticements were also offered.³⁶ In many instances the advertisements emphasized the musical program which was to be given rather than the name of the

³¹ Troy Messenger, January 29, 1913, p. 9.

³² Edward M. Shackelford, *First Fifty Years of Troy State Teachers College, Troy, Ala. 1887-1937* (Montgomery, Ala.: Paragon Press, 1937), p. 136.

³³ See Appendix III.

³⁴ Mrs. Key Murphree, "History of Music Study Club," in *Scrapbook: Music Study Club*.

³⁵ Minutes of the called meeting of the Club. July 24, 1918.

³⁶ Interview with Mr. Clyde Fields, March 3, 1961, manager of the Royal Theatre. He still has some of the dishes. A three-piece orchestra, consisting of Herman Moll, violin; Mr. Ritter, drums; and Norma Worthy, piano, was used. This theatre (for picture shows) was located in the building presently occupied by the Top Dollar Store.

picture (or pictures).³⁷ A program is found in the *Scrapbook* of the Musical Study Club.

World War I found the Club bounding with enthusiasm and patriotism. It cooperated when asked by the State Federation of Music Clubs to entertain at the camps (Camp Sheridan, Hut 58).³⁸ Again by request from the Federation the group sponsored a Fiddlers Convention of Pike County at the City School. Proceeds from this were \$90.75, part of which went to send winners to Montgomery. The balance of the receipts went to the Red Cross. The Club helped the Red Cross put on a Community Sing. From the above it may be seen that the activities of the Club ranged "From Mt. Olympus to the River Styx"—but all in the name of a worthy cause! The purchase of Liberty Bonds and Thrift Stamps are also mentioned in the minutes as well as the adoption of war orphan. In the years immediately following the end of World War I the Club was active in a community Sing on Armistice Day. A Troy High School Orchestra is mentioned for the first time in this program.³⁹ Mention has already been made of the Liberty Tea and a Victory Minstrel which reflects a rejoicing over the end of the "war to end all wars," as well as to indicate a great awakened pride in all things American, including culture.⁴⁰

By the year 1920 the Club had been on such a civic spending spree that it found itself confronted with the necessity of raising a sizeable amount of money. Two projects carried on almost simultaneously were the purchase of draperies for the windows and curtains for the stage at the Troy High School, and the purchase of a "Mason-Hamlin" grand piano for the use of the club.

The curtains cost about \$750, representing a sizeable responsibility. The ingenious ladies put on an elaborate auto show—this was *the new thing*. Newspapers announced the purchase by each new owner of an auto with all the publicity given to the birth of a baby, a wedding, or death. The long

³⁷ See Appendix III.

³⁸ *Troy Messenger*, June 26, 1918, p. 5. The concert was given on June 19, 1918.

³⁹ *Troy Messenger*, November 17, 1920, p. 5. The date of the program was November 11, 1920.

⁴⁰ See Appendix III.

list of entries for March 26, 1920, proclaims a society here with financial status. Mrs. Charles Henderson (wife of ex-Governor Charles Henderson) won the prize but generously handed her prize money back to the Club.⁴¹ On March 3, 1921 the ladies again bent in the direction of a minstrel show for some quick money and \$389 was realized on this. In July of the same year the curtains were paid for.⁴² This program received community support and represented an impressive array of amateur talent.⁴³

The Club piano was a dream of the Club envisioned at the time of its organization in 1905. Coupled to this dream was that of a hall for meetings. The Knights of Pythias made their rooms available as a meeting place and the piano was properly unveiled on September 20, 1920.⁴⁴ When the Music Club celebrated its Fiftieth Anniversary in November, 1955, Mrs. Key Murphree read the speech she had intended to read at the unveiling of the piano in 1920. Because of Mrs. Murphree's illness at the earlier time it was read by Lucile Key (Thompson). The first payment came from a war bond. "For three successive times we were *snowed under* in our effort to do something to make money for another payment."⁴⁵ She continued, listing their successful money-making projects as follows: a high class vaudeville;⁴⁶ benefit concerts given in neighboring towns; money raised from a hog sale through the generosity of Folmar and Sons; and many rummage sales. She states:

So we really feel that we have not been a burden and a nuisance to the public. We believe that they have had value received in every instance. While it has not been an easy task, it has been a lot of fun....

⁴¹ Troy Messenger, June 6, 1920, p. 6, and Scrapbook: Music Study Club. The date of the show was May 26, 1920.

⁴² Scrapbook: Music Study Club.

⁴³ See Appendix III.

⁴⁴ The Club is still using this piano. The instrument is used on all Club programs and is available for the use of college programs. As previously stated the piano is now in the Faculty Lounge of the Student Center of Troy State College. It has received good care and is perhaps the best piano available for concerts at this time.

⁴⁵ This paper is found in the Scrapbook: Music Study Club.

⁴⁶ See Appendix III.

In placing the piano in our club room we feel that the Music Study Club is entering upon the fulfillment of its aims for the musical uplift of the city. For it is the intention of the Club to bring artists to this hall...so that it will be in reach of music lovers...that they may enjoy these things with us. In this way we hope to build a solid foundation of musical appreciation for Troy.⁴⁷

The record of a concert by a visiting artist is found as early as 1907 when the Club presented Severin O Frank, pianist.⁴⁸ This type of activity on the part of the Club was not prominent again until after World War I. Then came a "Piano-forte Lecture Recital" by Sir Edward Baxter Perry, blind pianist of Boston;⁴⁹ Lada—a dancer assisted by the Pawling Trio (Strings); Mme. Bessie Branion, formerly of Chicago Grand Opera; and Edna Thomas, mezzo-soprano and President of the Louisiana State Federation.⁵⁰ There is an announcement of the appearance of a violinist by the name of Axel Skovgaard for April 5.⁵¹ The paper quotes his information on the German people although he was a Dane. He quotes Mrs. Richard Wagner "as being unable to greet any guests because of lack of fuel....; the German people are starving...." The only intimation as to the fate of this concert is found in a handwritten note in the Scrapbook to the effect that the concert was called off because of adverse reports.

In the minutes of the Club for March 15, 1919 mention is made of bringing some entertainment to Troy by the New York Metropolitan Opera Company with tickets to be fifty cents and one dollar each. No further evidence of these plans has been found.

It is evident that at the turn of the century quite enough had been done by one small group of young ladies and matrons, many of whom were busy with their families and equally as busy with church work—choir, missionary circles, and Sunday School classes, together with literary clubs.

⁴⁷ Paper by Mrs. Murphree, Scrapbook: Music Study Club.

⁴⁸ See Appendix V.

⁴⁹ See Appendix V.

⁵⁰ Scrapbook: Music Study Club.

⁵¹ Scrapbook: Music Study Club.

PROGRAMS

The organizational meeting of the Troy Music Study Club was held on October 21, 1905, and two weeks later, on November 4, 1905, this same group presented a program on Schumann. These pioneers were ladies of intent and purpose! The use of the word "study" in the name of the Club had been intentional. Programs for the first year were typed, except for one instance, written in longhand. These first-year programs are included in this paper for the sake of historical reporting and to preserve the records in a better way since they are becoming quite worn.⁵² It is interesting to note that vocal solos, duets, and so forth were simply listed as "selected;" but when a piano solo was to be presented on the program topic, it read on the program: "Piano solo....with Interpretations." It is noted that members were to sing, play, or read. This is a reminder of times when young ladies were trained in the art of elocution. Program topics for the first year included:

- Schumann (two programs)
- Chopin (two programs)
- Mendelssohn (two programs)
- Schubert (one program)
- Opera (three programs)
- Spring Music (one program)
- American Composers (one program)
- Wedding Music (one program)
- Lullabies (one program)
- Musical Games (one program)

A choral practice was included on the third program of the new club. Current events in music used for roll call or roll call was sometimes answered by factual information on the program topic.

An interesting approach to the study of music in the early years is found in the inclusion of the "Query Box." The source of this study is obscure but a copy of it is found in the *Scrapbook*.⁵³ In the *Yearbook* of 1907-1908 it was included

⁵² See Appendix IV, programs from *Scrapbook*, Music Study Club.

⁵³ See Appendix IV. *Scrapbook*: Music Study Club.

in the printed programs. This represents a definitely serious approach to musical understanding. Questions covered topics of music history. Some illustrations chosen at random are: "What was the Gregorian System?" "What is the meaning of polphony?" "Who were the Minne-singers?" "Give a sketch of the life of Bach; Mozart; Bethoven." These ladies were serious in their study of music.

Over the span of years the programs present a consistent approach to the study of standard musical literature. The programs reflect the use of history textbooks and source references on American Music.⁵⁴ In fact, the programs seem quite heavy and of such length that one marvels at the span of attention of the members and of their energy since regular programs always occurred on schedule regardless of many other activities. [See section on Activities.] To have some nineteen members of the program in one afternoon by a club whose membership totalled twenty-four to thirty members presents quite an achievement. Club chorus and choral practices were regular features of the programs as we find it today.

The study of countries and their composers gave unity to the programs. There was a good coverage on classical and romantic composers. The works of the late nineteenth century composers were frequently used. In the early years there were more numbers for the piano than for the voice, but a fairly even balance is observed in later years. The use of violin and some clarinet and saxophone numbers by 1917 reflects an instrumental program which was under way in the Troy High School under the direction of Herman Moll. Opera was well represented. From the titles one can assume they were in translation. If the ladies wished to study an aria which was in a role for the male voice, they sang it. Piano transcriptions of vocal music were frequently used. It is apparent that this club was a "study" club.

⁵⁴ Yearbooks of 1910-1911. Baltzell's *History of Music* was used on these programs this source: Wardwell, Mrs. Fredrick Schuyler, *Plan of Study on Musical History: American Music, Autobiographical Sketches and Music for Programs*, (Highland Terrace, Stamford, Connecticut: 1920). A copy of this work was located among the Yearbooks for the Music Study Club. See Appendix IV.

Programs were always in printed form during these years,⁵⁵ in contrast to the programs of later years, when the majority were mimeographed and had handsome covers. The first of these appeared in the *Yearbook* of 1932-1933.⁵⁶ In the printed yearbooks through the year 1920 the constitution and by-laws were also printed. Throughout the years, and especially in the early years, great stress was laid by constitutional law on: regular attendance; fines in regard to unexcused absences; program responsibility and the subsequent fines for failure to perform. An article in the *Troy Messenger* reflects this practice in the writeup of the meeting of February 2, 1908, as follows:

The executive committee of the club met immediately after adjournment to pass upon excuses of absence and tardiness on the part of the members and the fines for the same . . . , Mrs. J. S. Carroll, president of the club, who was in Montgomery Wednesday to the Ben-Hur Matinee was given an honorable acquittal from the usual penalty for absence.⁵⁷

Laws for fines were followed with due regard for the democratic process—no favoritism. Mrs. Carroll was an influential woman of Troy—a civic-minded, talented, wealthy club and church woman.

In this early period no Alabama Day programs are found since the official proclamation for this occasion was given on December 14, 1923 by Governor W. W. Brandon with the seal of Mr. Sid H. Blan, a Trojan and publisher of the *Troy Messenger*, as Secretary of State.⁵⁸ Work in the Federation emphasized this since great stress was laid on original composition by the members. Each state president offered prize money for original songs during these early years.

⁵⁵ The office of historian was created in November of 1920 by the Federation. Mrs. W. L. Davids, acting for Miss Catherine Gardner, started accumulating back materials for the fifteen years that the club had existed. The material is not filed in sequence since the material was discovered or unearthed over a period of time. Yearbooks for nine different years are available at this time, in addition to a good coverage of the club meetings as reported in the *Troy Messenger*.

⁵⁶ This no doubt reflects the Depression Years.

⁵⁷ Scrapbook: Music Study Club.

⁵⁸ Thomas, op. cit., pp. 126-127.

The ladies were a study group and their programs were of high quality. However, when the necessity arose to raise money in a hurry—and it frequently did for these ambitious ladies—they could adjust to a much lower level: minstrels, fiddlers contests, and so forth.⁵⁹

⁵⁹ See section on Activities, also Appendix III on Programs for Minstrels.

CHAPTER III

THE MacDOWELL CLUB

By the year 1917 the musical output in Troy was becoming American in flavor and this was especially true in the activities of the only Music Study Club then in existence. Because of pressure from the State Federation about American and Alabama compositions, and the great wave of patriotism following World War I, the programs for 1916-1919 featured American music together with European composers. The programs of 1920-1921 were devoted exclusively to the study of American music.¹ The minutes of the Music Study Club stated that "It is more appropriate that our recital be given on American instead of German music."²

This patriotism and the worship of "Americana," which included the American composer Edward MacDowell in particular, led to an interesting development in Troy. MacDowell had died in 1908, but recognition of his worth as a composer had come to him during his lifetime. His marriage to a woman who ranks as a second Clara Schumann increased his fame after his death for she immediately set up the MacDowell Memorial Association and the Peterboro Colony in New Hampshire. She gave lectures and piano recitals to raise funds for this memorial. The State Federation of Music Clubs had already stressed the emphasis on American music and Mrs. MacDowell appeared at the Biennial Convention of the National Federation of Music Clubs³ in Birmingham in 1917.

As the scene in Troy is examined there is found not one Music Club but two! The MacDowell Music Club was organized on January 3, 1917. Of the fourteen members listed, eleven were members of the Music Study Club. Other members of the Music Study Club joined later. It resembled what politicians call a "splinter" organization. These women, who were mem-

¹ Yearbooks available.

² Minutes, Music Study Club, April 7, 1917.

³ The National and State Federation of Music Clubs still includes the MacDowell Colony as one of its projects and supports it with funds. This will be found in State Handbooks and space for reporting each club's contribution is found on the rating sheet which must be filed before a state convention by each club. The Music Study Club is a yearly contributor.



Picture of the MacDowell Club. Front row, left to right, Miss Lillian Brantley (Mrs. Clarence Wiley), Mrs. James Wiley, Mrs. W. L. Davids, Miss Nell Murphree (Motley), Mrs. Walter Walters. Back row, left to right, Mrs. Bailey Talbot, Jr., Miss Mary Wood (Mrs. H. A. Porter), Mrs. C. B. Goldthwaite, Mrs. Eugene Chapman, Mrs. Eugene Murphree, Mrs. Carl Mott, Mrs. Fred Jernigan. This picture was found in the "memorabilia" of Mrs. Fred Jernigan and was presented for use in this paper by her daughter, Mrs. H. T. McKinnon of Troy. Mrs. Jernigan died in the fall of 1960.

bers of two musical organizations, did not want just a little study of American Music—they wanted *All* of the study to be on *American Music*! The purpose of the MacDowell Club was to promote American music. The motto was “*Labore est Ovare.*” The colors were red, white, and blue.⁴ The first printed yearbook, as well as those that followed, pictured MacDowell on the cover. The club was activated through the efforts of Mrs. Fred Jernigan, an active, dynamic club woman who successfully completed whatever she attempted.⁵ These characteristics remained with her during all of her active life.

The first study program which can be found was on October 3, 1917.⁶ Charter members listed were: Miss Lillian Brantley, Mrs. Leo Bashinsky, Mrs. Charles Brannen (marked out), Mrs. Eugene Chapman, Mrs. W. L. Davids, Mrs. Lane Enzor, Mrs. Max Folmar, Mrs. C. B. Goldthwaite, Mrs. Jake Henderson (marked out), Mrs. Fred Jernigan, Mrs. V. P. McKinley, Mrs. Eugene Murphree, Mrs. B. M. Talbot, Miss Mary Wood, Mrs. James Wiley, Mrs. Walter Walters. Officers for the first year were: Mrs. W. L. Davids, President; Mrs. James Wiley, Vice-President; Mrs. V. P. McKinley, Secretary; Mrs. C. B. Goldthwaite, Treasurer; Mrs. Fred Jernigan, Accompanist; Miss Mary Wood, Reporter.

There is evidence that the club functioned immediately after the organizational date on January 3, 1917, although no yearbook for the first half year of its existence has been

⁴ The bound volumes of newspapers that are available are lacking in much needed information on the MacDowell Club. This may be due to the fact that many issues now bound were weekly. There is printed evidence, however, of many activities and much credit should be given to the efficient work of the club's first reporter, Miss Mary Wood, now Mrs. H. A. Porter, 414 Wills Road, Connellsville, Pennsylvania.

After many interviews which proved interesting but which did not yield valid data, Mrs. C. B. Goldthwaite, sister of Miss Wood and also a member of the MacDowell Club, wrote to her. Almost by return mail there came a packet of yearbooks and material evidently collected for a scrapbook.

Mrs. Porter (Miss Wood) has been an invalid for many years and for the last twelve years has been blind. Even so she could locate this material by telling her son the exact spot where it was stored.

The sources for this part of the research have come from Mrs. Porter. In some instances other than can be found, and will be so designated.

Scrapbook material, which has been given to this writer, will be preserved and kept for future reference.

⁵ Interview with Mrs. Walter Walters, April 22, 1961 in answer to a specific inquiry pertaining to the founding of this club.

⁶ Yearbook: MacDowell Study Club, 1917-1918.

located. The second meeting, February 7, 1917, was held in the home of Mrs. C. B. Goldthwaite. The theme of the program was—MacDowell!

Shortly afterwards the young club accomplished a *coup d'etat!* Under the auspices of the MacDowell Club, Mrs. Edward MacDowell was presented in a piano recital Saturday, April 14, 1917.⁷ She was coming to Birmingham for the National Biennial Convention but this club was the first to ask her to perform in Troy.⁸ The City School auditorium was replete with Steinway, flags, and a huge portrait of MacDowell, framed and daped with flags "in recognition of the Americanism of the MacDowells." The programs were decorated with a tricolor bow. A short talk on the Peterboro Colony preceded the recital, which consisted of the works of MacDowell.

She held the enraptured attention of her audience, while she gave a faultless, and nothing short of marvelous, interpretation of the masterpieces of her illustrious husband.⁹

A six o'clock buffet was given by the club in honor of Mrs. MacDowell at the home of Mrs. James Wiley on Murphree Street. "In accordance with the spirit of the times, patriotism was the prevailing note of the decorations in the dining room."¹⁰ A shower of flags waved from the chandelier. There was a red, white, and blue floral piece for the table. Red, white, and blue streamers were draped from the chandelier to the corners of the table. Sandwiches with tri-colored ribbons, and ice cups bearing souvenirs of flags added to the decorative motive. Members of the Music Study Club were invited to share her company that night at an informal evening during which Mrs. MacDowell autographed a large flag for the club. They in return, autographed her souvenir flag. An illustrious past and an illustrious person had visited the new club. Mrs. MacDowell was made an honorary member of the club in 1918.

The two clubs with over-lapping membership worked together in a cooperative manner. Their viewpoints were differ-

⁷ Troy Messenger, April 11, 1917, p. 2.

⁸ See Appendix V.

⁹ Scrapbook: MacDowell Study Club.

¹⁰ Ibid.

ent only in point of emphasis on the program material. Yet even this was not true during 1920 for both clubs studied American music. The MacDowell Club invited the Music Study Club to special anniversary programs on MacDowell. The groups worked together as hostess clubs when the Alabama Federation of Music Clubs met in Troy for the MacDowell Club was also federated. The two clubs presented jointly the Victory Minstrel on May 2, 1919 in order to make money for the entertainment of the Federation.¹¹

The constitution of this new club indicated that meetings were held on the first Wednesday of each month from October through May. Among the composers used for their study programs were: MacDowell (every year), Nevin, Beach, DeKoven, Herbert, Cadman, Perry, Hadley, Chadwick, and Ware.

It should not be forgotten that the majority of these ladies were also working up programs in the other club, yet in 1917 this new club could find time for a concert at the Y.M.C.A. Hut at Camp Sheridan (Montgomery) whenever the war effort demanded it.¹² The performers received an ovation at the close of this program.

At first glance it seems ironic to note that these clubs may have had a spirit of competition since there was a duplication of membership. Perhaps this was true for an examination of the programs reveals that the Music Study Club in March of the very next year brought Sir Edward Baxter Perry to Troy for a recital.¹³ The stage had been set whereby club members were conscious of famous names in the music world, and were willing to help bring them to Troy—especially if they were outstanding American composers and performers. This paved the way for the appearance of Charles Wakefield Cadman and Princess Tsianina in an all-American music program a few years later.¹⁴

It has not been established whether the club functioned beyond 1919-1920. A yearbook of programs exists for this date.¹⁵ Former members believe that the club was in existence

¹¹ See Appendix III.

¹² Scrapbook: MacDowell Music Club.

¹³ See Appendix V.

¹⁴ Princess Tsianina, a mezzo-soprano, was an American Indian princess.

for three or four yars. The yearbook of the Music Study Club for 1920-1921 includes some names which had heretofore appeared only on the MacDowell Club roll. The programs of the Music Study Club (1920-1921) were on American composers. A Tercentenary Program (1620-1920) is included. It is the writer's opinion that perhaps by the fall of 1920 there no longer existed a real need for the MacDowell Club whose prime purpose was to foster American music. The ladies possibly were exhausted from this double exposure to American culture. Perhaps one music study club was adequate now.

¹⁵ This yearbook was loaned to the writer by Mrs. Walter Walters of Troy during the interview with her on April 26, 1961.

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Personal Interview with Mrs. C. B. Goldthwaite, several dates.

ESTABLISHMENT OF THE ALABAMA TERRITORY

(The following documents are reprinted with the intention of collecting in one place the bills and acts relative to the creation of the Alabama Territory by separating it from the western part of the old Mississippi Territory. From time to time several bills were introduced in Congress to provide for the admission of the whole Mississippi Territory or to divide it along various north-south lines. These documents have been selected because through them can be traced the final stages of establishing the present boundary of the State of Alabama. The first five are copied directly from Clarence Edwin Carter's *The Territorial Papers of the United States*, Vol. XVIII, pp. 8-10, 17-19, 36-39, 53-57, 291-293. Dr. Carter's footnotes are also copied verbatim. The Alabama enabling act is copied from the *Acts of the Fifteenth Congress of the United States, 1819*, pp. 39-43.—Editor)

A BILL TO ESTABLISH THE TERRITORY OF MOBILE

[NA:HF, 14 Cong., 2 sess.:Printed]

H.R. 31.

December 23, 1816.

Read twice and committed to the committee of the whole House, on the bill "to enable the people of the western part of the Mississippi Territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States."

A BILL

To establish a separate Territorial Government for the eastern part of the Mississippi Territory.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the Mississippi Territory which lies within the following boundaries, to wit: Beginning at the point where the line of the thirty-first degree of north latitude intersects the Perdido river, thence east to the western boundary line of the State of Georgia, thence along said line to the southern boundary line of the State of Tennessee, thence west along said boundary line to the Tennessee river, thence up the same to the mouth of Bear creek, thence by a direct line to the north west corner of Washington county, thence southwardly along the line dividing the counties of Washington, Baldwin, and Mobile, on the east, from Wayne, Green, and Jackson, on the west, to the Gulf of Mexico, thence eastwardly, including all islands within six leagues of the shore, to the Perdido river, and thence up the same to the beginning, shall, for the purpose of temporary government, constitute a separate Territory, and be called "Mobile."

Sec. 2. *And be it further enacted, That all offices which may exist, and all laws which may be in force, in said Territory within the boundaries above described, at the time this act shall go into effect, shall continue to exist and be in force, until otherwise provided by law. And the President of the*

United States shall have power, by and with the advice and consent of the Senate, to appoint a Governor and Secretary for the said Mobile Territory, who shall respectively exercise the same powers, perform the same duties, and receive for their services the same compensation, as are provided for the Governor and Secretary of the Mississippi Territory.

Sec. 3. *And be it further enacted*, That the Governor to be appointed under the authority of this act, shall, immediately after entering into office, convene, at the town of St. Stephens, on the Tombigby river, such of the members of the Legislative Council and House of Representatives of the Mississippi Territory, as may then be the representatives from the several counties within the limits of the Territory to be established by this act; and the said members shall constitute the Legislative Council and House of Representatives for the aforesaid Mobile Territory, whose powers, in relation to the said Territory, shall be, until the expiration of the term for which they shall have been chosen, or until Congress shall otherwise provide, the same in all respects as are now possessed by the Legislative Council and House of Representatives of the Mississippi Territory. And the town of St. Stephens shall be the seat of government for the said Mobile Territory, until it shall be otherwise ordered by the legislature thereof.

Sec. 4. *And be it further enacted*, That this act shall commence and be in force so soon as the convention, the appointment thereof hath been authorized by Congress at their present session, shall have formed a Constitution and State Government for that part of the Mississippi Territory lying west of the Territory herein described; of which act of convention the Governor of the Mississippi Territory, for the time being, shall give immediate notice to the President of the United States, who shall thereupon forthwith proceed to the execution of the powers vested in him by the second section of this act; but in case such convention shall fail to form a Constitution and State Government, as aforesaid, then this act shall, in all its provisions, become null and void and of no effect.

Sec. 5. *And be it further enacted*, That all persons who shall be in office within the Territory hereby established, when the said convention shall have formed a Constitution

and State Government, as aforesaid, shall continue to hold and exercise their offices, in all respects as if this act never had been made; and the Governor and Secretary of the Mississippi Territory, for the time being, shall continue to exercise the duties of their respective offices, in relation to the Territory hereby established, until a Governor and Secretary shall be appointed for the Territory of Mobile, in pursuance of this act.

Sec. 6. *And be it further enacted*, That all judicial process, in the said Territory of Mobile, shall be issued and bear teste as heretofore; nor shall any suit be discontinued, nor the proceeding in any cause be stayed, or in anywise affected by any thing contained in this act, or in the act entitled "An act to enable the people of the western part of the Mississippi Territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States."⁹

⁹ Approved Mar. 1, 1817 (3 STAT. 348-349). See post, p. 17. Filed with the above is a MS. copy of the same bill which contains the following endorsement: "H. R.—N^o31 A Bill to establish a separate territorial government for the Eastern part of Mississippi Territory Dec. 23—1816 Read twice & committed to the Committee of the Whole House on the Bill, to Enable the people of the Western part of the Mississippi territory to form a constitution & State government, and for the admission of such state into the Union on an equal footing with the original States—Lattimore Same Com Whole as last".

A BILL TO ESTABLISH THE TERRITORY OF MOBILE
[NA:SF, 14 Cong., 2 sess:Printed]

S. 15.

IN SENATE OF THE UNITED STATES. *January* 17, 1817.

Mr. Tait, from the committee to whom the subject was referred, reported the following Bill, which was read and passed to the second reading.⁴⁵

A BILL

To establish a separate Territorial Government for the eastern part of the Mississippi Territory.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the Mississippi Territory which lies within the following boundaries, to wit: Beginning at the point where the line of thirty-first degree of north latitude intersects the Perdido river, thence east to the western boundary line of the State of Georgia, thence along said line to the southern boundary line of the State of Tennessee, thence west along

⁴⁵ On Jan. 7, 1817, on motion of Senator Tait, of Georgia, a select committee of the Senate was appointed to consider the memorial of the Mississippi Territorial Legislature of Dec. 5, 1815 (*Terr. Papers*, Miss., VI, 593-594). This step parallels similar action by the House of Representatives, ante, p. 8. To the same committee was referred, on Jan. 8, 1817, the petition of certain members of the Territorial Legislature for admission without division (*Terr. Papers*, op. cit., pp. 744-746). On Jan. 17, Tait reported the above bill together with a second bill to enable the Territory to form a Constitution and State Government for the western portion. The former was read a second time on Jan. 20, and on Jan. 30, after consideration in Committee of the the Whole, it was amended, and, the Senate concurring, the bill was ordered engrossed and was read a third time. But on Jan. 31 the engrossed bill was referred to a select committee on motion of its author and on Feb. 4 a substitute bill was reported, *post*, p. 36. See *Senate Journal*, 14 Cong., 2 sess., pp. 123, 132, 145, 168, 190; *Annals*, 14 Cong., 2 sess., 52, 64, 71, 74, 89, 91, 100.

There are certain aspects in the evolution of this legislation which cannot now be resolved. We do not know, for example, what amendments were proposed and adopted, nor why the substitute bill was introduced. Whatever debate the various bills may have evoked has not been reported, and no relevant papers in the form of amendments and reports have been discovered. For the same reason we do not know why the House of Representatives shelved its own bill of Dec. 23, 1816. For further citations, see *post*, p. 36.



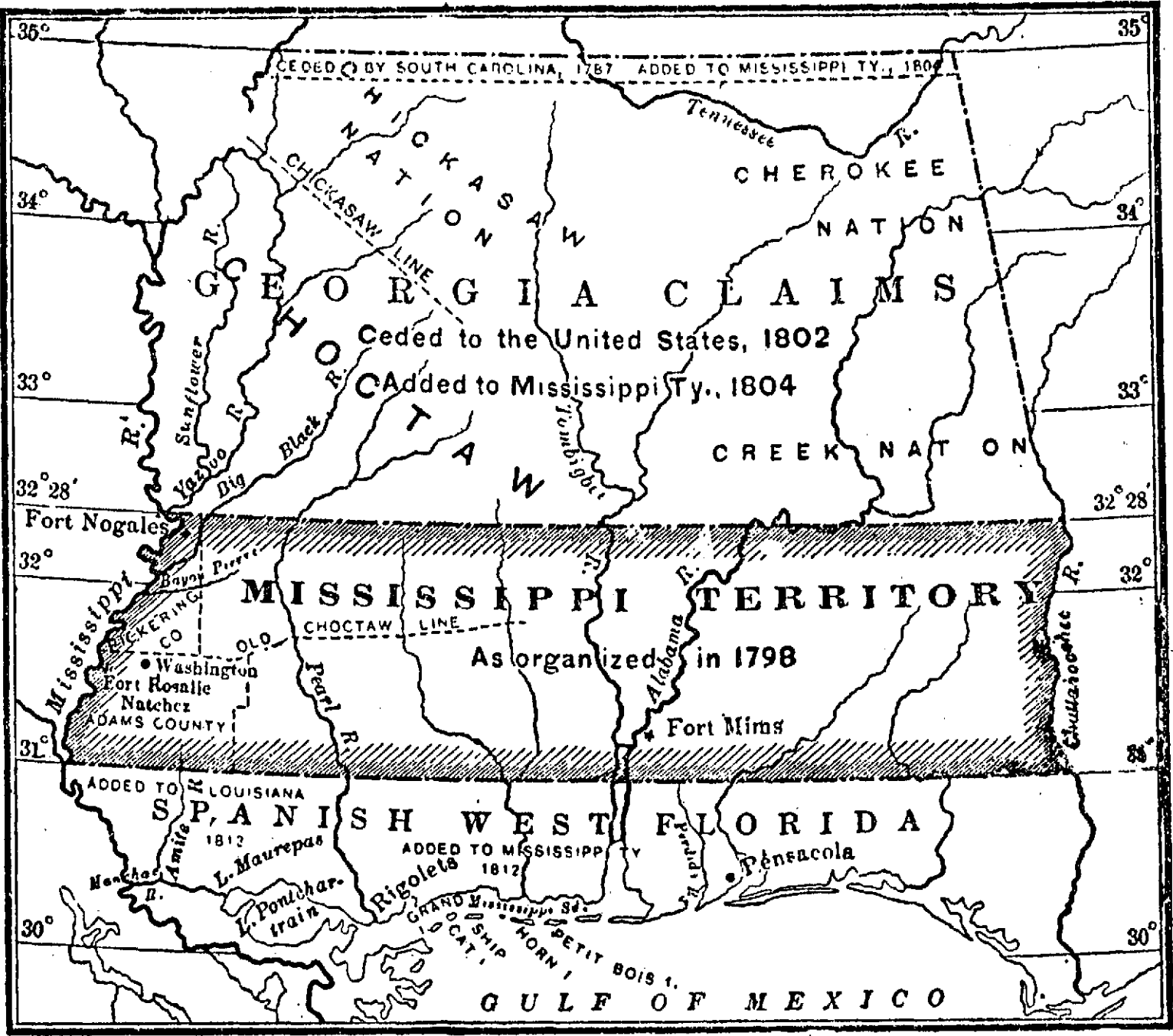
JUDGE CHARLES TAIT

While a Senator from Georgia he fostered most of the legislation which eventually divided the Mississippi Territory and in 1817 created the Alabama Territory.

said boundary line to the Tennessee river, thence up the same to the mouth of Bear creek, thence by a direct line to the northwest corner of Washington County, thence southwardly along the line dividing the counties of Washington, Baldwin, and Mobile, on the east, from Wayne, Green, and Jackson, on the west, to the gulf of Mexico, thence eastwardly, including all islands within six leagues of the shore, to the Perdido river, and thence up the same to the beginning, shall, for the purpose of a temporary government, constitute a separate Territory, and be called "Mobile."

Sec. 2. *And be it further enacted*, That all offices which may exist, and all laws which may be in force in said Territory, within the boundaries above described, at the time this act shall go into effect, shall continue to exist and be in force until otherwise provided by law; and the President of the United States shall have power, by and with the advice and consent of the Senate, to appoint a governor and secretary for the said Mobile Territory, who shall respectively exercise the same powers, perform the same duties, and receive for their services the same compensation as are provided for the governor and secretary of the Mississippi Territory.

Sec. 3. *And be it further enacted*, That the governor to be appointed under the authority of this act, shall, immediately after entering into office, convene, at the town of St. Stephens, on the Tombigby river, such of the members of the legislative council and house of representatives of the Mississippi Territory as may then be the representatives from the several counties within the limits of the Territory to be established by this act; and the said members shall constitute the legislative council and house of representatives for the aforesaid Mobile Territory, whose powers, in relation to the said Territory, shall be, until the expiration of the term for which they shall have been chosen, or until Congress shall otherwise provide, the same, in all respects, as are now possessed by the legislative council and house of representatives of the Mississippi Territory; and the town of St. Stephens shall be the seat of government for the said Mobile Territory, until it shall be otherwise ordered by the legislature thereof.



Mississippi Territorial boundary lines about during the early 1800's.

Sec. 4. *And be it further enacted*, That this act shall commence and be in force so soon as the convention, the appointment whereof hath been authorized by Congress at their present session, shall have formed a Constitution and State Government for that part of the Mississippi Territory lying west of the Territory herein described; of which act of convention the governor of the Mississippi Territory, for the time being, shall give immediate notice to the President of the United States, who shall, thereupon, forthwith proceed to the execution of the powers vested in him by the section of this act; but in case such convention shall fail to form a Constitution and State Government, as aforesaid, then this act shall, in all its provisions, become null and void, and of no effect.

Sec. 5. *And be it further enacted*, That all persons who shall be in office within the Territory hereby established, when the said convention shall have formed a Constitution and State Government, as aforesaid, shall continue to hold and exercise their offices in all respects as if this never had been made; and the governor and secretary of the Mississippi Territory, for the time being, shall continue to exercise the duties of their respective offices in relation to the Territory hereby established, until a governor and secretary shall be appointed for the Territory of Mobile, in pursuance of this act.

Sec. 6. *And be it further enacted*, That all judicial process in the said Territory of Mobile, shall be issued and bear test as heretofore; nor shall any suit be discontinued, nor the proceeding in any cause be staid, or in anywise affected by any thing contained in this act, or in the act entitled "An act to enable the people of the western part of The Mississippi Territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States."

[Endorsed] S 15 14 Cong 2 sess. L A Bill To establish a separate territorial government for the Eastern part of the Mississippi territory January 17 Read & to 2 Reading January 20 read 2 time January 30 to 3 Reading 31 Recommended. February 5 Reported amended

A BILL TO ESTABLISH THE TERRITORY OF ALABAMA

[NA:SF, 14 Cong., 2 sess. :AD]

IN SENATE OF THE UNITED STATES February 4th 1817.⁸⁸
Mr. Tait from the committee to which was recommitted the bill to establish a separate territorial government, for the eastern part of the Mississippi territory,⁸⁹ reported the following in lieu thereof.⁹⁰

“A Bill to establish a separate territorial government, for the Eastern part of the Mississippi territory.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the Mississippi Territory, which lies within the following boundaries towit: Beginning at the point where the line of the thirty first degree of North latitude intersects the Perdido river, thence East to the western boundary line of the State of Georgia; thence along said line to the southern boundary line of the State of Tennessee; thence west along said boundary line to the Tennessee river, thence up the same to the mouth of Bear creek, thence by a direct line to the North West corner of Washington county; thence due South to the Gulf of Mexico, thence eastwardly including all the islands within six leagues of the Shore to the Perdido river, and thence up the same to the beginning shall for the purpose of a temporary government constitute a separate territory and be called Alabama.

Sec. 2. And be it further enacted, That all offices which may exist, and all laws which may be in force in said territory, within the boundaries above described at the time this act shall go into effect, shall continue to exist and be in force until otherwise provided by law. And the President of the United States shall have power to appoint a Governor and Secretary for the said Alabama Territory, who shall respectively exercise the same powers, perform the same duties and receive for their services the same compensation as are provid-

⁸⁸ On the original the lines preceding the principal title are at the end, but there is a symbol indicating that the language should be transferred to the beginning of the document.

⁸⁹ Jan. 31, 1817 (Senate Journal, 14 Cong., 2 sess., p. 174).

⁹⁰ Ibid., p. 190.



COLONEL JOHN CROWELL

ed for the Governor and Secretary of the Mississippi territory; Provided, That the appointment of said Governor and Secretary shall be submitted to the Senate for their advice and consent at the next session of Congress.

Sec 3 And be it further enacted, That there shall be appointed an additional judge for the Mississippi territory who shall reside in the Eastern part thereof and receive the same compensation as the other Judges; and that the judge appointed by virtue of an act passed the twenty seventh day of March one thousand eight hundred and four for the appointment of an additional judge for the Mississippi Territory together with the Judge appointed for Madison county and the judge to be appointed by virtue of this act shall possess and exercise exclusive original jurisdiction in the Superior courts of Washington, Baldwin, Clarke, Monroe, Montgomery, Wayne, Green, Jackson, Mobile, Madison, and of such new counties as may be formed out of them, and shall arrange the same among themselves, from time to time; Provided, That no judge shall sit more than twice in succession in the same court, and that the other judges of the Mississippi Territory shall exercise, as heretofore authorized by an act of Congress or of the Territorial legislature exclusive jurisdiction in the superior courts of the other counties. That a General court to be composed of the judge appointed by virtue of the act of twenty seventh of March one thousand eight hundred and four, the judge appointed for Madison county, and the judge to be appointed by virtue of this act, or any two of them; shall be holden at St. Stephens, commencing on the first Mondays of January and July annually who shall have the same power of issuing writs of error to the Superior courts of the counties mentioned in this section, or which shall hereafter be formed in the Eastern division of the Territory, which was given by the act for the appointment of an additional judge passed the year one thousand eight hundred and four, to the Superior court of Adams district, and shall possess exclusively of the courts of the several counties the federal jurisdiction given to the Superior courts of the Territories by an act passed on the third day of March one thousand eight hundred and five entitled " An act to extend jurisdiction in certain cases to the Territorial courts".⁹¹

⁹¹ 2 STAT. 338-839.

Sec 4. And be it further enacted, That the Governor to be appointed under the authority of this act shall immediately after entering into office convene at the town of St. Stephens such of the members of the Legislative Council and House of Representatives of the Mississippi territory as may then be the representatives from the several counties within the limits of the territory to be established by this act, and the said members shall constitute the Legislative council and House of Representatives for the aforesaid Territory shall be until the expiration of the term for which they shall have been chosen, or until Congress shall otherwise provide, the same, in all respects, as are now possessed by the Legislative Council and House of Representatives of the Mississippi Territory; and the said Legislative council and House of Representatives of the Alabama Territory, so formed, shall have power to nominate six persons to the President of the United States, three of whom shall be selected by him for members of the Legislative Council, in addition to the number which the said territory may possess agreeable to the foregoing provisions of this section. The said Legislative Council and House of Representatives shall also have power to elect a delegate to Congress, who shall in all respects possess the same rights and immunities as other delegates from Territories of the United States.

Sec 5. And be it further enacted, That this act shall commence and be in force so soon as the convention the appointment whereof has been authorized by Congress at their present session shall have formed a Constitution and State Government, for that part of the Mississippi Territory lying west of the Territory herein described, of which act of Convention the Governor of the Mississippi, for the time being, shall give immediate notice to the President of the United States, who shall thereupon forthwith proceed to the execution of the powers vested in him by the second section of this act. But in case said Convention shall fail to form a Constitution and State Government as aforesaid, then this act shall become null and void, except so far as relates to the third section thereof, which shall take effect and be in force from and after the passage of this act.

Sec 6. And be it further enacted, That all persons who shall be in office within the territory hereby established when

the said Convention Shall have formed a Constitution and State government as aforesaid shall continue to hold and exercise their offices in all respects as if this act had never been made, and the Governor and Secretary of the Mississippi Territory for the time being shall continue to exercise the duties of their respective offices in relation to the Territory hereby established until a governor and Secretary shall be appointed therefor in pursuance of this act.

Sec. 7. And be it further enacted, That all judicial process in the said Territory of Alabama shall be issued and bear test as heretofore, nor shall any suit be discontinued, or the proceeds of any cause staid, or in any wise affected, by any thing continued in this act, or in the act entitled "An act to enable the people of the Western part of the Mississippi Territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States."

Sec. 8. And be it further enacted, That the town of St. Stephens shall be the seat of Government for the said Alabama Territory until it shall be otherwise ordered by the legislature thereof.

[*Endorsed*] Senate Bill No 39 14 Cong 2 Sess L A Bill To establish a separate territorial government for the Eastern part of the Mississippi Territory 1817 Feby 4. Read. ⁹²

⁹² This bill was reported as amended on Feb. 5, and on Feb. 19 it was considered in Committee of the Whole, which reported it out with an additional amendment. It was read the third time and passed on Feb. 21 and sent to the House (*Senate Journal*, 14 Cong., 2 sess., pp. 260-261, 273-274), where it was received on Feb. 24.

The issue hinged on whether Congress should or should not enable Mississippi to come into the Union as a whole, or after division. On Feb. 24, 1817, the House, sitting as Committee of the Whole, had before it three bills: (1) a House bill to enable the people of the western part of the Territory to form a State Constitution and Government; (2) a Senate bill for the same purpose; and (3) a second House bill to enable the people of the whole Territory to form a State Government (no copy of this bill has been seen). Apparently the above bill was not committed to the Committee of the Whole on this occasion, since its fate rested on the disposal of the statehood issue.

The Senate's statehood bill was first considered, in which connection a motion was offered by Israel Pickens, of North Carolina, to strike out everything after the enacting clause and to insert in lieu thereof the text of the House bill, which would provide statehood for the entire Terri-

tory. The motion was defeated, by what vote we are not told. It was then moved by John W. Taylor, of New York, that all relevant bills then before the House be postponed indefinitely, which motion was defeated by a vote of 80 to 62. Other motions and amendments were offered of the Territory to form a State was then advanced to third reading and passed (*House Journal*, 14 Cong., 2 sess., pp. 445-456 458). The act was approved Mar. 1, 1817. The Senate bill to establish Alabama Territory was then quickly advanced to third reading and passed on Mar. 3, 1817, *ibid.*, p. 545. See text, post, p. 53.

AN ACT ESTABLISHING ALABAMA TERRITORY

[NA:SD, Original Statutes³⁷]

[March 3, 1817]

*An Act to establish a seperate territorial government for the eastern part of the Mississippi territory.*³⁸

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that part of the Mississippi Territory which lies within the following boundries, to wit; Beginning at the point where the line of the thirty first degree of north Latitude intersects the Perdido river, thence east to the Western boundary line of the State of Georgia, thence along said line to the Southern boundary line to the State of Tennessee, thence West along said boundary line to the Tennessee river, thence up the same to the mouth of Bear creek, thence by a direct line to the northwest corner of Washington County, thence due South to the Gulph of Mexico, thence eastwardly including all the islands within six leagues of the shore to the Perdido River, and thence up the same to the beginning," shall, for the purpose of a temporary government, constitute a seperate Territory, and be called "Alabama".

Sec: 2. *And be it further enacted, That all offices which may exist, and all laws which may be in force in said Territory, within the boundaries above described at the time this act shall go into effect, shall continue to exist and be in force until otherwise provided by law.*^{38a} And the President of the United States shall have power to appoint a governor and Secretary for the said Alabama Territory, who shall respectively exercise the same power, perform the same duties, and receive for their services the same compensation as are provided for the Governor and Secretary of the Missiſsipp Territory: *Provided that the appointment of said Governor and Secretary shall be sub-*

³⁷ Printed also in 3 STAT 371-373, an official printing which contains numerous variations from the original, notably with respect to punctuation; in the latter regard some 49 discrepancies have been noted. Similar, though not so many, variations are also found in Thrope (ed.), *Fed. and State Consts.*, I, 89-92, an official publication.

³⁸ The legislative history of the act may be traced in the bills and in the reports printed in the preceding pages of this volume. Cf. act creating Mississippi Territory, Apr. 7, 1798 (*Terr. Papers, Miss.*, v, 18-22).

mitted to the Senate for their advice and consent, at the next session of Congress.

Sec. 3. *And be it further enacted*, That there shall be appointed an additional Judge for the Mississippi Territory who shall reside in the Eastern part thereof, and receive the same compensation as the other Judges;³⁹ and that the Judge appointed by virtue of an act passed the twenty-seventh day of March, one thousand eight hundred and four, for the appointment of an additional Judge for the Mississippi Territory⁴⁰ together with the Judge appointed for Madison county⁴¹ and the Judge to be appointed by virtue of this act, shall possess and exercise exclusive original Jurisdiction in the Superior courts of Washington, Baldwin, Clarke, Monroe, Montgomery, Wayne, Green, Jackson, Mobile, Madison, and of such new counties, as may be formed out of them, and shall arrange the same among themselves from time to time;⁴² *Provided*, that no Judge shall sit more than twice in succession in the same Court,⁴³ and that the other Judges of the Mississippi Territory shall exercise, as heretofore authorized by an act of Congress or of the Territorial Legislature, exclusive Jurisdiction in the Superior courts of the other counties. That a general court to be composed of the Judge appointed by virtue of the act of twenty-seventh of March, one thousand eight hundred and four, The Judge appointed for Madison County, and the Judge to

^{38a} For the principle of continuing legislation, see Philbrick (ed.), *Laws III. Terr.* (I. H. C., XXV, Springfield, 1950), p. cccxxxvii.

³⁹ Stevenson Archer, of Maryland, was appointed in accordance with the above provision, his commission being dated Mar. 6, 1817; his tenure was during good behavior, or for as long as the government established by the act of Mar. 3, 1817, should exist. He was therefore one of the hold-over judges, but he resigned within a year of his appointment and returned to Maryland (*Terr. Papers, Miss.*, VI, 781, 816).

⁴⁰ 2 STAT. 301-302. Judge Harry Toulmin was the continuing Judge under the act in question, having been confined Nov. 20, 1804 (*Senate Execut. Journal*, I, 473).

⁴¹ Provided for in an act approved Mar. 2, 1810 (2 STAT. 563-564). Judge Obadiah Jones was the incumbent, having been appointed Mar. 6, 1810 (*Terr. Papers, op. cit.*, pp. 51-52). Jones resigned in 1819 and was succeeded by John W. Walker on Mar. 2 of that year. See post, p. 570.

⁴² See act approved Apr. 20, 1818 (3 STAT. 468), extending the above provision to include counties organized subsequent to the passage of the above act. The law referred to also invested the territorial legislature with power to fix the time and places of holding the superior courts in each of the counties, and of the number of terms to be held in each county, though the terms could not exceed two annually.

⁴³ Repealed by the act approved Apr. 20, 1818 (3 STAT. 468).

be appointed by virtue of this act, or any two of them, shall be holden at St. Stephens, Commencing on the first Mondays of January and July annually, who shall have the same power of issuing writs of error to the superior courts of the counties mentioned in this section, or which shall hereafter be formed in the Eastern division of the Territory which was given by the act for the appointment of an additional Judge, passed the year one thousand eight hundred and four, to the Superior court of Adams' district, and which shall possess exclusively of the Courts of the several counties the federal jurisdiction given to the superior courts of the Territories by an act passed the third day of March, one thousand eight hundred and five, entitled "An act to extend Jurisdiction in certain cases to the Territorial Courts."⁴⁴

Sec 4: *And be it further enacted*, That the governor to be appointed under the authority of this act⁴⁵ shall immediately after entering into office convene at the town of St. Stephens such of the members of the legislative counsel and house of Representatives of the Mississippi Territory, as may then be the representatives from the several counties within the limits of the Territory to be established by this act, and the said members shall constitute the legislative counsel and house of representatives for the aforesaid Alabama Territory, whose powers in relation to the said Territory shall be until the expiration of the term for which they shall have been chosen, or until Congress shall otherwise provide, the same, in all respects, as are now possessed by the Legislative counsel, and house of representatives of the Mississippi Territory;⁴⁶ and the said legislative counsel and house of representatives, of the Alabama Territory, so formed, shall have power to nominate six persons to the President of the United States, three of whom shall be

⁴⁴ 2 STAT. 338-339. By the act of Apr. 20, 1818 (*op. cit.*), Alabama was given essentially the Illinois judicial system. See Philbrick (*ed.*), *op. cit.*, p. liv. See also Farrand, *Legis. for the Terrs.*, p. 29. Cf. *Terr. Papers. (Ill.)*, XVI, 7. See sec. 9, *infra*.

⁴⁵ See appointment of Governor, *post*, p. 161.

⁴⁶ The above provision represents the first deviation from the principle embodied in the Ordinance of 1787 to the effect that in a new territory there should be a first stage of government exercised entirely by the Governor and Judges. That period of tutelage is here for the first time omitted. The next appearance of this policy is found in the act establishing the Territory of Wisconsin in 1836. Thereafter the first stage of government is entirely abandoned.

selected by him for members of the Legislative counsel, in addition to the number which the said Territory may possess agreeably to the foregoing provisions of this section. The said legislative counsel and house of representatives shall also have power to elect a delegate to Congress, who shall in all respects possess the same rights and immunities as other delegates from Territories of the United States.⁴⁷

Sec. 5: *And be it further enacted*, That this act shall commence and be in force so soon as the convention, the appointment whereof has been authorized by Congress at their present session, shall have formed a constitution and State Government for that part of the Mississippi Territory lying West of the Territory herein described, of which act of convention the Governor of the Mississippi, for the time being, shall give immediate notice to the President of the United States who shall thereupon forthwith proceed to the execution of the powers vested in him by the second of this act. But in case said convention shall fail to form a constitution and State Government as aforesaid, then this act shall become null and void; except so far as relates to the third section thereof, which shall take effect and be in force from and after the passage of this act.

Sec. 6: *And be it further enacted*, That all persons who shall be in office within the Territory hereby established when the said convention shall have formed a constitution and State Government as aforesaid, shall continue to hold and exercise their offices in all respects as if this act had never been made; and the Governor and Secretary of the Mississippi Territory, for the time being, shall continue to exercise the duties of their respective offices in relation to the Territory hereby established, until a governor and Secretary shall be appointed therefor in pursuance to this act.

Sec. 7: *And be further enacted*, That all Judicial process in the said Territory of Alabama shall be issued and bear tests

⁴⁷ An omission in the above act respecting the taking of the oath of office by all executive, legislative, judicial, and militia officers was corrected in an act approved Apr. 20, 1818 (3 STAT. 468). Another omission concerned the qualifications for holding office within the Territory, which was also remedied in an act approved Apr. 9, 1818 (3 STAT. 417), to the effect that only persons owning a quarter section or more of land were competent to hold office.

as heretofore, nor shall any suit be discontinued, or the proceedings of any cause staid or in any wise affected by any thing contained in this act, or in the act entitled "an act to enable the people of the western part of the Mississippi Territory to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States."

Sec. 8: *And be it further enacted*, That the town of St Stephens shall be the seat of Government for the said Alabama Territory until it shall be otherwise ordered by the legislature thereof.

Sec. 9: *And be it further enacted*, That whatever balance may remain in the Treasury of the Mississippi Territory at the time when the convention authorized to form a constitution and State Government for the western part of said territory may have formed a constitution and State government for the western part of said territory may have formed a constitution and State government for the same, shall be divided between the new state and territory according to the amount which may have been paid into said treasury from the counties lying within the limits of such states and territory respectively.⁴⁸

H. Clay Speaker of the House Representatives

John Gaillard President of the Senate pro tempore.

March 3, 1817

Approved James Madison

I certify that this act did originate in the Senate Attest
Charles Cutts Secretary

⁴⁸ Section 9 represents an amendment to the bill of Feb. 4, 1817, ante, p. 36. Other variations between the bill and the act as passed, slight in nature and bearing no significance, are purely stylistic.

A BILL TO ESTABLISH THE BOUNDARY BETWEEN
ALABAMA TERRITORY AND THE STATE OF
MISSISSIPPI

[NA:SF, 15 Cong., 1 sess. :AD]

S63 IN SENATE UNITED STATES April 1st 1818

Mr. Leake from the committee to whom the Subject was referred,²⁹ reported the following bill, which was read and passed to the second reading:—

A BILL TO alter, and establish the Boundary line between the State of Mississippi, and the Alabama Territory.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary line between the state of Mississippi and the Alabama Territory, as designated by an act of Congress entitled “an act to enable the people of the Western part of the Mississippi Territory to form a Constitution and State Government and for the admission of such State into the Union on an equal footing with the original states” passed on the 1st day of March one thousand eight hundred and seventeen,³⁰ shall be so charged as to run from the north west corner of Washington County, South twelve degress east to the gulph of Mexico,

Sec. 2 And be it further enacted that the Surveyor of the Public lands south of the State of Tennessee, shall cause the said line to be run from the mouth of Bear creek on the Tennessee River, in a direct line to the North west corner of Washington County, and from thence South twelve degrees east, to the gulph of Mexico. And the said Surveyor shall cause the said line to be plainly choped and marked, by blazing the trees with [blank] feet on either side thereof, and making in each tree so blazed, three plain notches on one side thereof.

²⁹ Dec. 16, 1817 (Annals, 15 Cong., 1 sess., 34).

³⁰ 3 STAT. 348-349.

Sec. 3 And be it further enacted, That the said Surveyor shall be allowed the sum of [blank] dollars for each mile in length, that the said line shall be run; And he shall also be allowed the sum of [blank] dollars for each mile, for running such traverse line as shall be found necessary in order to ascertain the true course from the mouth of bear creek to the North west corner of Washington county. And the said Surveyor is hereby authorised and directed to employ so many axe men, as shall be necessary to blaze and chop the said line, in such manner as is herein before directed, and to allow to each axe man, a sum not exceeding [blank] per day for each day he shall be so imployed.

Sec. 4. And be it further enacted; that the sum of [blank] thousand dollars be, and the same are hereby appropriated to defray the expenses of running and marking the aforesaid line, to be paid out of any monies in the Treasury of the United States not otherwise appropriated.

Sec. 5. And be it further enacted That the line, as herein described shall be, and hereby is established as the permanent boundary, between the State of Mississippi, and the Alabama Territory; any law to the contrary notwithstanding.

[*Endorsed*] S. 63. 15 Cong 1 Sees L. A bill To alter and establish the boundary line between the State of Mississippi & the Alabama territory. 1818 April 1. Read

[*Endorsed on another copy*] April 1, 1818. Read and passed to a second reading. April 2, 1818. Read the second time. April 4, 1818. Considered and postponed until Monday. April 7, 1818. Considered and postponed to the first Monday in July next.³¹

³¹ *Annals*, 15 Cong., 1 sess., 306, 309, 346. No further action is noted on this bill. Although Alabama was admitted into the Union on Dec. 14, 1819, with the boundary lines as described in the enabling act for Mississippi, approved Mar. 1, 1817 (3 STAT. 348-349), and in the act organizing the Territory of Alabama, approved Mar. 3, 1817 (*ante*, p. 53), the surveyor general had been authorized in the act enabling Alabama Territory to form a state government, approved Mar. 2, 1819 (3 STAT. 489-492), to run trial lines in order to establish the correct boundaries between the two states. This was not undertaken, however, until 1820. For a fuller account, see Douglas, *Boundaries of the U. S. and the Several States*, Geological Survey Bulletin 817, 2d edition, pp. 162-163. See also Mondell, Acting Commissioner, General Land Office, to J. H. Bankhead, Aug. 3, 1898 (*Pubs. Ala. Hist. Soc.*, II, 91-93), for further data.

CHAP. 47. An act to enable the People of the Alabama Territory to form a Constitution and State Government, and for the Admission of such State into the Union, on an equal footing with the original states.

Sect. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the inhabitants of the territory of Alabama be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they may deem proper; and that the said territory, when formed into a state, shall be admitted into the Union, upon the same footing with the original states, in all respects whatever.

Sect. 2. *And be it further enacted*, That the said state shall consist of all the territory included within the following boundaries, to wit: Beginning at the point where the thirty-first degree of north latitude intersects the Perdido river; thence, east, to the western boundary line of the state of Georgia; thence, along said line, to the southern boundary line of the state of Tennessee; thence, west, along said boundary line, to the Tennessee river; thence, up the same, to the mouth of Bear creek; thence, by a direct line, to the northwest corner of Washington county; thence, due south, to the Gulf of Mexico; thence, eastwardly, including all islands within six leagues of the shore, to the Perdido river; and thence, up the same, to the beginning.

Sect. 3. *And be it further enacted*, That it shall be the duty of the surveyor of the lands of the United States south of the state of Tennessee, and the surveyor of the public lands in the Alabama Territory, to run and cut out the line of demarcation, between the state of Mississippi and the state to be formed of the Alabama territory; and if it should appear to said surveyors, that so much of said line designated in the preceding section, running due south, from the northwest corner of Washington county to the Gulf of Mexico, will encroach on the counties of Wayne, Green, or Jackson, in said state of Mississippi, then the same shall be so altered as to run in a direct line from the northwest corner of Washington county to a point on the Gulf of Mexico, ten miles east of the mouth of the river Pascagola.

Sect. 4. *And be it further enacted*, That all white male citizens of the United States, who shall have arrived at the age of twenty-one years, and have resided in said territory three months previous to the day of election, and all persons having, in other respects, the legal qualifications to vote for representatives in the General Assembly of the said territory, be, and they are hereby, authorized to choose representatives to form a constitution, who shall be appointed among the several counties as follows:

From the county of Madison, eight representatives.
From the county of Monroe, four representatives.
From the county of Blount, three representatives.
From the county of Limestone, three representatives.
From the county of Shelby, two representatives.
From the county of Montgomery, two representatives.
From the county of Washington, two representatives.
From the county of Tuscaloosa, two representatives.
From the county of Lawrence, two representatives.
From the county of Franklin, two representatives.
From the county of Catoosa, two representatives.
From the county of Clark, two representatives.
From the county of Baldwin, one representative.
From the county of Cawhauba, one representative.
From the county of Conecuh, one representative.
From the county of Dallas, one representative.
From the county of Marengo, one representative.
From the county of Marion, one representative.
From the county of Mobile, one representative.
From the county of Lauderdale, one representative.
From the county of St. Clair, one representative.
From the county of Autauga, one representative.

And the election for the representatives aforesaid shall be holden on the the first Monday and Tuesday in May next, throughout the several counties in the said territory, and shall be conducted in the same manner, and under the same regulations, as prescribed by the laws of the said territory, regulating elections therein for the members of the house of representatives.

Sect. 5. *And be it further enacted*, That the members of the convention, thus duly elected, be, and they are hereby, authorized to meet, at the town of Huntsville, on the first Monday in July next; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not, expedient, at that time, to form a constitution and state government for the people within the said territory: And if it be determined to be expedient, the convention shall be, and hereby are, authorized to form a constitution and state government: *Provided*, That the same, when formed, shall be republican, and not repugnant to the principles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, between the people and states of the territory northwest of the river Ohio, so far as the same has been extended to the said territory, by the articles of agreement between the United States and the state of Georgia, or of the constitution of the United States.

Sect. 6. *And be it further enacted*, That the following propositions be, and the same are hereby, offered to the convention of the said territory of Alabama, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First. That the section numbered sixteen in every township, and when such section has been sold, granted, or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such townships for the use of schools.

Second. That all salt springs within the said territory, and the lands reserved for the use of the same, together with such other lands as may, by the President of the United States, be deemed necessary and proper for working the said salt springs, not exceeding in the whole the quantity contained in thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used, under such terms, conditions, and regulations, as the legislature of the said state shall direct: *Provided*, The said legislature shall never sell, nor lease the same for a longer term than ten years at any one time.

Third. That five percent of the net proceeds of the lands lying within the said territory, and which shall be sold by Congress, from and after the first day of September, in the year one thousand eight hundred and nineteen, after deducting all expenses incident to the same, shall be reserved for making public roads, canals, and improving the navigation of rivers, of which three-fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said state, under the direction of Congress.

Fourth. That thirty-six sections, or one entire township, to be designated by the Secretary of the Treasury, under the direction of the President of the United States, together with the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such seminary by the said legislature. And the Secretary of the Treasury, under the direction as aforesaid, may reserve the seventy-two sections, or two townships, hereby set apart for the support of a seminary of learning, in small tracts: *Provided*, That no tract shall consist of less than two sections: *And provided, always*, That the said convention shall provide, by an ordinance irrevocable without the consent of the United States, that the people inhabiting the said territory, do agree and declare that they forever disclaim all right and title to the waste or unappropriated lands lying within the said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and moreover, that each and every tract of land sold by the United States, after the first day of September, in the year one thousand eight hundred and nineteen, shall be and remain exempt from any tax laid by the order, or under the authority, of the state, whether for state, county, township, parish, or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof: and that the lands belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no tax shall be imposed on lands, the property of the United States: and that all navigable waters within the said state shall forever re-

main public highways, free to the citizens of said state and of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state.

Sect. 7. *And be it further enacted*, That., in lieu of a section of land, provided to be reserved for the seat of government of the said territory, by an act, entitled "An act respecting the surveying and sale of the public lands in Alabama territory,"* there be granted to the said state, for the seat of the government thereof, a tract of landing containing sixteen hundred and twenty acres, and consisting of sundry fractions and a quarter section, in sections thirty-one and thirty-two, in township sixteen, and range ten, and in sections five and six, in township fifteen, and range ten, and in sections twenty-nine and thirty, in the same township and range, lying on both sides of the Alabama and Cahawba rivers, and including the mouth of the river Cahawba, and which heretofore has been reserved from public sale, by order of the President of the United States.

Sect. 8. *And be it further enacted*, That, until the next general census shall be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

Sect. 9. *And be it further enacted*, That in case the said convention shall form a constitution and state government for the people of the territory of Alabama, the said convention, as soon thereafter as may be, shall cause a true and attested copy of such constitution or frame of government as shall be formed or provided, to be transmitted to Congress, for its approbation.

[Approved, March 8, 1819.]

SOME ALABAMAIAANS OF THE TERRITORIAL PERIOD

John Williams Walker, was born in Amelia County, Virginia, August 12, 1783. He received his bachelor and master of arts degrees from Princeton University and was admitted to the bar in Petersburg, Georgia. In 1810 he moved to Huntsville, Alabama, where he continued to practice law. He was a member of the legislature of the Territory of Alabama in 1818 and the following year was president of the convention which frame the first state constitution. After declining President Madison's appointment to a federal district judgeship, he was almost unanimously elected as one of Alabama's first senators. Resigning his seat in the senate in December, 1822 because of ill health, he died on April 23, 1823, in Huntsville.

Harry Toulmin, a native of Taunton, England, immigrated to Virginia in 1793. He served for four years as president of Transylvania College in Kentucky, retiring to become secretary of state of Kentucky. After President Jefferson appointed him judge of the superior court of the Mississippi Territory in 1804, he moved to Washington County, now in the State of Alabama. He subsequently became the first federal judge of the Tombigbee District. In 1816 Toulmin was sent to Washington, D. C., by the residents of the eastern part of the Mississippi Territory to work for the admission of the whole territory, failing which he contended for the boundary line most favorable to Alabama. When the Alabama Territory was created, he was continued in his office as federal district judge, but lost the position to former Senator Charles Tait when Alabama was admitted to the Union. In 1823 he wrote the first digest of the laws of Alabama.

Charles Tait, first federal district judge in the state of Alabama, was born in Louisa County, Virginia. While teaching at the Richmond Academy, he was admitted to the bar in Elberton, Georgia. In 1803 he was elected judge of the western circuit of Georgia, and in 1809 succeeded John Milledge as senator from Georgia. Having voted for the unpopular bill to raise the salary of United States senators, he was only dissuaded from resigning his seat by John W. Walker and other

prominent Alabamians. He remained in the senate until the expiration of his term and guided through Congress the Alabama enabling act. He moved to Alabama in 1819, and through the influence of Governor William Wyatt Bibb, Walker, and Secretary of the Treasury William Crawford, he was appointed federal judge. Resigning the judgeship in 1826, he interested himself in his plantation in Wilcox County until his death in 1835.

John Crowell of North Carolina first came to Alabama in 1815. In 1818 he was elected by the territorial legislature as the delegate to the United States Congress, but according to John W. Walker, Charles Tait was more effectual than the delegate from the territory. Crowell served in the House of Representatives for one term, 1819-1821, when he became agent for the Creek Indians with his official residence at the Agency. He died at Fort Mitchell, Alabama in January, 1846.

William Lattimore, physician, born near Norfolk, Virginia in 1774, moved to Natchez, Mississippi Territory in 1801. After moving to Wilkerson County, he was appointed to the territorial council by President Jefferson. He was elected territorial delegate to Congress in 1805, 1807, 1813, and 1815. In Congress he actively opposed the division of the territory, but when it became evident that the southern senators were determined to make two states from the territory, he attempted to have the boundary drawn so as to include Mobile in the western part. Toulmin wanted the line drawn at the Pascagoula River but final decision was based on Dr. Lattimore's compromise. As a result of the compromise, Lattimore lost his popularity in Mississippi and was never again elected to public office. He died in Amite County, April 3, 1843.

CENSUS OF THE COUNTIES OF THE WESTERN PART MISSISSIPPI TERRITORY¹

	1800	1810	Whites	1816 Free Blacks	Slave	Total
Baldwin		1,427	411	43	709	11,163
Clarke			2,763	16	1,338	4,117
Madison		4,699	10,000		4,200	14,200
Mobile			867		433	1,300
Monroe			3,593	72	1,603	5,268
Washington	1,250	2,920	1,888		671	2,559

¹ Compiled from 'Alabama Official and Statistical Register, 1915, p. 309, and Carter's Territorial Papers of the United States, VI, 730.

ABSTRACT OF THE TERRITORIAL CENSUS
OF ALABAMA²
(NA:SD, Ala. Terr. Papers:DS)

Counties	Taken in 1818					Total of Inhab- itants
	White males under 21 years	White males over 21 years	White Females over 21 years	White Females under 21 years	Total of Whites	
Baldwin.....	134	134	92	144	504	1225
Blount.....	625	1098	508	998	3229	3699
Cahawba.....	199	358	170	304	1031	1280
Clark.....	591	838	461	784	2674	4406
Conecuh.....	220	363	191	318	1092	1395
Cotaco.....	386	694	341	680	2101	2253
Dallas.....	280	439	196	405	1320	1757
Franklin.....	443	772	372	666	2253	2690
Lauderdale.....	297	613	273	515	1698	1965
Lawrence.....						
Limestone.....	726	1091	610	1046	3473	4489
Madison.....	1830	2821	1427	2702	8780	15667
Marengo.....	326	342	193	303	1164	1700
Marion.....						
Mobile.....	466	195	161	160	982	1647
Monroe.....	946	1406	707	1248	4307	7633
Montgomery.....	799	1103	555	1007	3464	5219
Shelby.....	628	1099	524	1036	3287	3867
Tuscaloosa.....	549	723	429	664	2365	3138
Washington.....	529	660	239	619	2147	3564
	9974	14749	7549	13599	45871	67594

² Clarence E. Carter, Territorial Papers of the United States, XVIII, 462.

TOWNS IN THE ALABAMA TERRITORY

Huntsville, Madison County

Jackson, Clarke County

St. Stephens, Washington County

Mobile, Mobile County

Ft. Jackson, Montgomery County

Ft. Claiborne, Monroe County

Blakely, Baldwin County

³ Justus Wyman, "A Geographical Sketch of the Alabama Territory," *Publications of the Alabama Historical Society, Transactions*, III, 110, 115-118, 123.

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